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INTRODUCTION

The Illinois Register is the official state document for publishing public notice of rulemaking activity by State governmental agencies. The table of contents is arranged categorically by rulemaking activity and alphabetically by agency within each category. Rulemaking activity consists of proposed or adopted new rules or amendments to or repealers of existing rules, including those by emergency or peremptory action.

The *Register* also contains Executive Orders and Proclamations issued by the Governor, notices of public information required by State statute, and activities (meeting agendas, Statements of Objection or Recommendation, etc.) of the Joint Committee on Administrative Rules (JCAR), a legislative oversight committee which monitors the rulemaking activities of State agencies. In addition, the *Register* contains a Cumulative Index listing alphabetically by agency the Parts (sets of rules) on which rulemaking activity has occurred in the current *Register* volume and a Sections Affected Index listing, by Title of the *Illinois Administrative Code*, each Section (including supplementary material) of a Part on which rulemaking activity has occurred in the current volume. Both indices are action coded and are designed to aid the public in monitoring rules.

The *Register* will serve as the update to the *Illinois Administrative Code*, a compilation of the rules of State agencies. The most recent edition of the *Code* along with the *Register* comprise the most current accounting of the State agencies' rules.

The *Illinois Register* is the property of the State of Illinois, granted by the authority of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, pars. 1001 et seq., as amended).

REGISTER PUBLICATION SCHEDULE 1993

Material Rec'd after 4:30 p.m. on:	And before 4:30 p.m. on:	Will be in Issue #:	Published on:	Material Rec'd after 4:30 p.m. on:	And before 4:30 p.m. on:	Will be in Issue #:	Published on:
Dec. 16, 1992	Dec. 23, 1992	1	(Mon.) Jan. 4, 1993	June 22, 1993	June 29, 1993	28	July 9, 1993
Dec. 23, 1992	Dec. 30, 1992	2	Jan. 8, 1993	June 29, 1993	July 6, 1993	29	July 16, 1993
Dec. 30, 1992	Jan. 5, 1993	3	Jan. 15, 1993	July 6, 1993	July 13, 1993	30	July 23, 1993
Jan. 5, 1993	Jan. 12, 1993	4	Jan. 22, 1993	July 13, 1993	July 20, 1993	31	July 30, 1993
Jan. 12, 1993	Jan. 19, 1993	5	Jan. 29, 1993	July 20, 1993	July 27, 1993	32	Aug. 6, 1993
Jan. 19, 1993	Jan. 26, 1993	6	Feb. 5, 1993	July 27, 1993	Aug. 3, 1993	33	Aug. 13, 1993
Jan. 26, 1993	Feb. 2, 1993	7 (Tues.)	Feb. 16, 1993	Aug. 3, 1993	Aug. 10, 1993	34	Aug. 20, 1993
Feb. 2, 1993	Feb. 9, 1993	8	Feb. 19, 1993	Aug. 10, 1993	Aug. 17, 1993	35	Aug. 27, 1993
Feb. 9, 1993	Feb. 16, 1993	9	Feb. 26, 1993	Aug. 17, 1993	Aug. 24, 1993	36	Sept. 3, 1993
Feb. 16, 1993	Feb. 23, 1993	10	Mar. 5, 1993	Aug. 24, 1993	Aug. 31, 1993	37	Sept. 10, 1993
Feb. 23, 1993	Mar. 2, 1993	11	Mar. 12, 1993	Aug. 31, 1993	Sept. 7, 1993	38	Sept. 17, 1993
Mar. 2, 1993	Mar. 9, 1993	12	Mar. 19, 1993	Sept. 7, 1993	Sept. 14, 1993	39	Sept. 24, 1993
Mar. 9, 1993	Mar. 16, 1993	13	Mar. 26, 1993	Sept. 14, 1993	Sept. 21, 1993	40	Oct. 1, 1993
Mar. 16, 1993	Mar. 23, 1993	14	Apr. 2, 1993	Sept. 21, 1993	Sept. 28, 1993	41	Oct. 8, 1993
Mar. 23, 1993	Mar. 30, 1993	15	Apr. 9, 1993	Sept. 28, 1993	Oct. 5, 1993	42	Oct. 15, 1993
Mar. 30, 1993	Apr. 6, 1993	16	Apr. 16, 1993	Oct. 5, 1993	Oct. 12, 1993	43	Oct. 22, 1993
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Apr. 13, 1993	Apr. 20, 1993	18	Apr. 30, 1993	Oct. 19, 1993	Oct. 26, 1993	45	Nov. 5, 1993
Apr. 20, 1993	Apr. 27, 1993	19	May 7, 1993	Oct. 26, 1993	Nov. 2, 1993	46	Nov. 12, 1993
Apr. 27, 1993	May 4, 1993	20	May 14, 1993	Nov. 2, 1993	Nov. 9, 1993	47	Nov. 19, 1993
May 4, 1993	May 11, 1993	21	May 21, 1993	Nov. 9, 1993	Nov. 16, 1993	48	Nov. 29, 1993 (Mon.)
May 11, 1993	May 18, 1993	22	May 28, 1993	Nov. 16, 1993	Nov. 23, 1993	49	Dec. 3, 1993
May 18, 1993	May 25, 1993	23	June 4, 1993	Nov. 23, 1993	Nov. 30, 1993	50	Dec. 10, 1993
May 25, 1993	June 1, 1993	24	June 11, 1993	Nov. 30, 1993	Dec. 7, 1993	51	Dec. 17, 1993
June 1, 1993	June 8, 1993	25	June 18, 1993	Dec. 7, 1993	Dec. 14, 1993	52	Dec. 27, 1993 (Mon.)
June 8, 1993	June 15, 1993	26	June 25, 1993	Dec. 14, 1993	Dec. 21, 1993	1	Jan. 3, 1994 (Mon.)
June 15, 1993	June 22, 1993	27	July 2, 1993	Dec. 21, 1993	Dec. 28, 1993	2	Jan. 7, 1994

Please note: When the Register deadline falls on a State holiday, the deadline becomes 4:30 p.m. on Monday (the day before).

DEPARTMENT OF EMPLOYMENT SECURITY

NOTICE OF PROPOSED AMENDMENT(S)

- 1) Heading of the Part: Employment
- 2) Code Citation: 56 Ill. Adm. Code 2732
- 3) Section Number: Proposed Action:
2732.230 New Section
- 4) Statutory Authority: Ill. Rev. Stat., 1991, ch. 48, par. 315, 316, 321.5, 322, 325, 335, 610 and 611), as amended by P.A. 87-1178, effective September 22, 1992 [820 ILCS 405/205, 405/206, 405/211.5, 405/212, 405/215, 405/225, 405/1700, and 405/1701].
- 5) A Complete Description of the Subjects and Issues Involved:
This rulemaking sets forth the Department's interpretation of Sections 211.5 and 215 of the Act as to the coverage for unemployment insurance purposes of domestic service.
- 6) Will the proposed amendment replace an emergency amendment currently in effect? No.
- 7) Does this rulemaking contain an automatic repeal date? No.
- 8) Does this proposed amendment contain incorporations by reference? No.
- 9) Are there any other proposed amendments pending on this Part? Yes.

Section Numbers	Proposed Action	Illinois Register Citation
2732.225	New Section	17 Ill. Reg. 211 (January 8, 1993)
2732.227	New Section	17 Ill. Reg. 211 (January 8, 1993)

- 10) Statement of Statewide Policy Objective? Not Applicable.
- 11) Time, Place and Manner in which interested persons may comment on this Proposed Rulemaking: All persons who submit a request to comment regarding this proposed amendment within 20 days after this notice has been published in the ILLINOIS REGISTER will be given a reasonable opportunity to submit data, views, arguments or comments. The request shall be addressed to:

DEPARTMENT OF EMPLOYMENT SECURITY

NOTICE OF PROPOSED AMENDMENT(S)

- 12) Initial Regulatory Flexibility Analysis:
Date rules were submitted to the Small Business Office of the Department of Commerce and Community Affairs: April 1, 1993
Types of small businesses affected: Any employing unit which utilizes the services of domestic help.
Reporting, bookkeeping or other procedures required for compliance: None - this amendment only sets forth the agency's standards for determining domestic employment.
Types of professional skills necessary for compliance: None.

The full text of the Proposed Amendments begin on the next page:

DEPARTMENT OF EMPLOYMENT SECURITY

NOTICE OF PROPOSED AMENDMENT (S)

TITLE 56: LABOR AND EMPLOYMENT
CHAPTER IV: DEPARTMENT OF EMPLOYMENT SECURITY
SUBCHAPTER c: RIGHTS AND DUTIES OF EMPLOYERS

PART 2732
EMPLOYMENT

SUBPART A: COVERAGE

Requirement That "Four Or More" Employees Of A Nonprofit Organization Perform Services Within This State

SUBPART B: SERVICES IN EMPLOYMENT

Section
2732.125

Section

2732.200
2732.203

Section 212 Of The Act - Services In Employment
The Effect Of Regulation By A Governmental Entity On
"Direction Or Control" Under Section 212 Of The Act
Mandatory Jury Service
Exemption From The Definition Of Employment For Direct
Sellers Of Consumer Goods
Domestic Service

2732.230

SUBPART C: DETERMINING THE EMPLOYER

2732.305 Employee Service Companies

AUTHORITY: Implementing and authorized by Sections 205, 206, 211.5, 212, 215, 225, 1700, and 1701 of the Unemployment Insurance Act (Ill. Rev. Stat. 1991, ch. 48, pars. 315, 316, 321.5, 322, 325, 335, 610 and 611), as amended by P.A. 87-1178, effective September 22, 1992 [820 ILCS 405/205, 405/206, 405/211.5, 405/212, 405/215, 405/225, 405/1700, and 405/1701].

SOURCE: Adopted at 13 Ill. Reg. 8864, effective May 30, 1989; amended at 14 Ill. Reg. 673, effective January 2, 1990; amended at 15 Ill. Reg. 11423, effective July 30, 1991; amended at 16 Ill. Reg. 8173, effective May 18, 1992; amended at 16 Ill. Reg. 12159, effective July 20, 1992; amended at 17 Ill. Reg. _____, effective _____.

SUBPART B: SERVICES IN EMPLOYMENT

Section 2732.230 Domestic Service

a) For purposes of applying Sections 211.5 and 215 of the

DEPARTMENT OF EMPLOYMENT SECURITY

NOTICE OF PROPOSED AMENDMENT (S)

Act (Ill. Rev. Stat. 1991, ch. 48, pars. 321.5 and 325) [820 ILCS 405/211.5 and 405/215], the following terms have the meanings set forth below:

1) A "private home" is the fixed place of abode of the individual or family for whom the worker is performing services. A separate and distinct dwelling unit maintained by an individual as a residence, such as a hotel room, boat or trailer, can be a "private home". A room or suite in a nursing home can be a "private home", provided that the facts and circumstances of the particular case indicate that such room or suite is, in fact, the place where the individual retains his residence. A home utilized primarily for the purpose of supplying board or lodging to the public as a business enterprise is not a "private home".

A) Example: An individual who travels to the home of the child's parents to provide babysitting services for a child is performing services in a private home, while an individual who provides babysitting services in her own home would not be performing services in a private home.

B) Example: A worker who provides cooking services in a bed and breakfast establishment wherein the owner resides is not performing services in a private home.

2) A "local college club" or "local chapter of a college fraternity or sorority" does not include an alumni club or chapter.

3) "Domestic" service means service of a household nature, including service performed by cooks, waiters, butlers, housekeepers, housemothers, governesses, maids, valets, babysitters, janitors, laundresses, furnacemen, caretakers, handymen, gardeners, footmen, grooms, and chauffeurs of automobiles for family use. Service, not of a household nature, such as by a private secretary, nurse, tutor, or librarian, is not "domestic" service.

Example: An individual who performs only caretaking services such as bathing the individual, combing an individual's hair, reading, arranging bedding and clothing,

DEPARTMENT OF EMPLOYMENT SECURITY

NOTICE OF PROPOSED AMENDMENT(S)

doing laundry and preparing and serving meals is performing "domestic" service, even though he may be characterized as a health care worker. Registered or licensed practical nurses, or individuals responsible for providing professional or semiprofessional services such as physical therapy or giving intravenous medication are not performing "domestic" service.

- b) In determining whether an employing unit has paid \$1,000 or more in wages in a calendar quarter for "domestic" service in a private home, local college club or local chapter of a college fraternity or sorority, all wages paid for "domestic" service in a private home, local college club or local chapter of a college fraternity or sorority to all individuals who performed "domestic" service in a private home, local college club or local chapter of a college fraternity or sorority for the employing unit are included.

Example: Company A provides housekeepers to perform services in private homes. Each individual housekeeper is paid \$250 in each calendar quarter by Company A. If 4 or more housekeepers are employed by Company A in a calendar quarter, their services will constitute "employment" under the Act. In order for the services provided to Company A to be excluded from "employment" under Section 211.5 of the Act, the total wages for domestic service paid to all of the housekeepers provided by Company A must be less than \$1,000 for the quarter.

- c) "Domestic" service which is performed in other than a private home, local college club or local chapter of a college fraternity or sorority, as described in this Section, is not subject to the provisions of Section 211.5 and 215 of the Act. However, it may be excluded from "employment" by the provisions of Section 206 of the Act (Ill. Rev. Stat. 1991, ch. 48, par. 316) [820 ILCS 405/206] if the service is not provided for an "employer" under Section 205 of the Act (Ill. Rev. Stat. 1991, ch. 48, par. 315) [820 ILCS 405/205], or it may be excluded from "employment" under Section 212 of the Act (Ill. Rev. Stat. 1991, ch. 48, par. 322) [820 ILCS 405/212].

(Source: Added at 17 Ill. Reg. _____, effective _____)

DEPARTMENT OF FINANCIAL INSTITUTIONS

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of Part: Uniform Disposition of Unclaimed Property Act
- 2) Code Citation: 38 Ill. Adm. Code 180
- 3) Section Number: Proposed Action:
180.85 New Section
- 4) Statutory Authority: Implementing and authorized by the Uniform Disposition of Unclaimed Property Act (Ill. Rev. Stat. 1991, ch. 141, par. 101 et seq.) [765 ILCS 1025/1 et seq.]
- 5) Complete Description of the Subjects and Issues Involved: Section 180.85 clarifies the status of certain and then requirement to make reports to the Department of Financial Institutions under Uniform Disposition of Unclaimed Property Act. No such confusion existed prior to the decision of the United States Supreme Court in Delaware v New York (decided March 30, 1993).
- 6) Will this Proposed Rule Replace an Emergency Rule Currently in Effect? Yes
- 7) Does this Rulemaking Contain an Automatic Repeal Date? No
- 8) Does this Rulemaking Contain Incorporations by Reference? No
- 9) Are there Any Other amendments Pending on this Part? No
- 10) Statement of Statewide Policy Objectives: This rulemaking does not create or expand a state mandate as defined in Section 3(b) of the State Mandate Act (Ill. Rev. Stat., 1991, ch. 85, par. 2203).

- 11) Time, Place and Manner in Which Interested Persons May Comment on this Rulemaking: The Department will accept only comments submitted on a Response Form provided by the Department. Comments must be received within forty-five days of the date of this publication.

Henry D. Sintzenich
Deputy Counsel

Department of Financial Institutions
500 Iles Park Place, Suite 510
Springfield, Illinois 62718
(217) 782-3704

DEPARTMENT OF FINANCIAL INSTITUTIONS

NOTICE OF PROPOSED AMENDMENT

12) Initial Regulatory Flexibility Analysis:

- A) Date Rule was Submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: April 6, 1993
- B) Types of Small Business Affected: None
- C) Reporting, Bookkeeping or Other Procedures Required for Compliance: None
- D) Types of Professional Skills Necessary for Compliance: None

The text is the same as the Emergency Amendment appearing on page 6323 of this issue of the Illinois Register.

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Required Procedure for Filing and Securing Approval of Life Insurance, Annuity and Accident and Health Insurance Policy Forms.
- 2) Code Citation: 50 Ill. Adm. Code 916
- 3) Section Numbers:
- | | |
|-------------------------------|-------------|
| 916.10 | Amended |
| 916.20 | Amended |
| 916.30 | Amended |
| 916.40 | Amended |
| 916.50 | Amended |
| 916.Exhibit B | New Section |
| 916.Exhibit C | New Section |
| 916.Exhibit C, Illustration A | New Section |
| 916.Exhibit C, Illustration B | New Section |
| 916.Exhibit C, Illustration C | New Section |
- Proposed Action:
- 4) Statutory Authority: Implementing Section 143 of the Illinois Insurance Code (Ill. Rev. Stat. 1991, ch. 73, par. 755) [215 ILCS 5/143] and Section 10 of the Voluntary Health Services Plans Act (Ill. Rev. Stat. 1991, ch. 32, par. 604, as amended by P.A. 87-1090, effective September 15, 1992) and Section 10 of the Vision Service Plan Act (Ill. Rev. Stat. 1991, ch. 32, par. 660, as amended by P.A. 87-1090, effective September 15, 1992) and Section 10 of the Dental Service Plan Act (Ill. Rev. Stat. 1991, ch. 32, par. 690.25, as amended by P.A. 87-1090, effective September 15, 1992) and Section 24 of the Pharmaceutical Service Plan Act (Ill. Rev. Stat. 1991, ch. 32, par. 691.24, as amended by P.A. 87-1090, effective September 15, 1992) and Section 4003 of the Limited Health Service Organization Act (Ill. Rev. Stat. 1991, ch. 73, par. 1504-3, as amended by P.A. 87-1090, effective September 15, 1992) and Section 5-3 of the Health Maintenance Organization Act (Ill. Rev. Stat. 1991, ch. 111, par. 1411.2, as amended by P.A. 87-1090, effective September 15, 1992) and authorized by Section 401 of the Illinois Insurance Code (Ill. Rev. Stat. 1991, ch. 73, par. 1013) [215 ILCS 5/401].

- 5) A Complete Description of the Subjects and Issues Involved: P.A. 87-1090, effective September 15, 1992 added the requirement that policy forms for Voluntary Health, Vision, Dental and Pharmaceutical Service Plans, in addition to Limited Health Service and Health Maintenance Organizations must be filed and approved by the Director pursuant to

- Section 143 of the Illinois Insurance Code [215 ILCS 5/143]. The Department has incorporated this requirement into our existing rule.
- The Department has created a data base to track these filings and we have also developed transmittal sheets that companies will be required to use when submitting their policy forms for review and approval.
- Will this proposed rule replace emergency rule currently in effect? No.
 - Does this rulemaking contain an automatic repeal date? No.
 - Does this proposed amendment contain incorporations by reference? No.
 - Are there any other proposed amendments pending on this Part? No.
 - Statement of Statewide Policy Objectives: These amendments will not require a local government to establish, expand or modify its activities in such a way as to necessitate additional expenditures from local revenues.
 - Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Persons who wish to comment on this proposed rulemaking may submit written comments no later than 45 days after the publication of this Notice to:

Tim Cena
Assistant Chief Counsel, Chicago
100 West Randolph
Suite 15-100
Chicago, Illinois 60601
 - Initial Regulatory Flexibility Analysis: The Department has determined that this rulemaking will not affect small businesses.
- The full text of the Proposed Amendment begins on the next page:

- TITLE 50: INSURANCE
CHAPTER I: DEPARTMENT OF INSURANCE
SUBCHAPTER 1: PROVISIONS APPLICABLE TO ALL COMPANIES
- PART 916
REQUIRED PROCEDURE FOR FILING AND SECURING APPROVAL OF LIFE INSURANCE, ANNUITY AND ACCIDENT AND HEALTH INSURANCE, VOLUNTARY HEALTH SERVICES PLANS, VISION SERVICE PLANS, DENTAL SERVICE PLANS, PHARMACEUTICAL SERVICE PLANS, LIMITED HEALTH SERVICE ORGANIZATIONS AND HEALTH MAINTENANCE ORGANIZATIONS
POLICY FORMS
- | | |
|---------------|---|
| Section | Authority |
| 916.10 | Purpose and Scope |
| 916.20 | Definitions |
| 916.30 | Procedure |
| 916.40 | Certification of Compliance and Consent to Future Discontinuance of Use of Approved Policy Form |
| 916.50 | Effective Date (Repealed) |
| 916.60 | Certificate of Compliance and Consent to Future Discontinuance of Use of Approved Policy Form |
| 916.EXHIBIT A | Coding Guide |
| 916.EXHIBIT B | General Transmittal Instructions and Transmittal Sheet |
| 916.EXHIBIT C | Illustration A Replacement/Withdrawal Transmittal Instructions and Transmittal Sheet |
| 916.EXHIBIT C | Illustration B Certificate of Assumption Transmittal Instructions and Transmittal Sheet |
| 916.EXHIBIT C | Illustration C Informational Filing Transmittal Instructions and Transmittal Sheet |
- AUTHORITY: Implementing Section-143-and-authorized-by-Section 401-of-the-illinois-insurance-code-(ill.-rev.-stat.-1983, ch.-73,-pars.-755-and-1013): Implementing Section 143 of the Illinois Insurance Code (Ill. Rev. Stat. 1991, ch. 73, par. 755) [215 ILCS 5/143] and Section 10 of the Voluntary Health Services Plans Act (Ill. Rev. Stat. 1991, ch. 32, par. 604, as amended by P.A. 87-1090, effective September 15, 1992) and Section 10 of the Vision Service Plan Act (Ill. Rev. Stat. 1991, ch. 32, par. 660, as amended by P.A. 87-1090, effective September 15, 1992) and Section 10 of the Dental Service Plan Act (Ill. Rev. Stat. 1991, ch. 32, par. 690.25, as amended by P.A. 87-1090, effective September 15, 1992) and Section 24 of the Pharmaceutical Service Plan Act (Ill. Rev. Stat. 1991, ch. 32, par. 691.24, as amended by P.A. 87-1090, effective

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

September 15, 1992) and Section 4003 of the Limited Health Service Organization Act (Ill. Rev. Stat. 1991, ch. 73, par. 1504-3, as amended by P.A. 87-1090, effective September 15, 1992) and Section 5-3 of the Health Maintenance Organization Act (Ill. Rev. Stat. 1991, ch. 111, par. 1411.2, as amended by P.A. 87-1090, effective September 15, 1992) and authorized by Section 401 of the Illinois Insurance Code (Ill. Rev. Stat. 1991, ch. 73, par. 1013) [215 ILCS 5/401].

SOURCE: Filed November 13, 1975, effective December 1, 1975; codified at 6 Ill. Reg. 14844; amended at 9 Ill. Reg. 18139, effective February 13, 1986; amended at 17 Ill. Reg. _____, effective _____.

Section 916.10 Authority

This Part is promulgated by the Director of Insurance pursuant to authority contained in Section 401 of the Illinois Insurance Code (Ill. Rev. Stat. 198391, ch. 73, par. 1013) [215 ILCS 5/401] which empowers the Director to make reasonable rules and regulations as may be necessary for making effective insurance laws of the State of Illinois. This Part implements particularly Section 143 of the Illinois Insurance Code (Ill. Rev. Stat. 198391, ch. 73, par. 755) [215 ILCS 5/143] and Section 10 of the Voluntary Health Services Plans Act (Ill. Rev. Stat. 1991, ch. 32, par. 604, as amended by P.A. 87-1090, effective September 15, 1992) and Section 10 of the Vision Service Plan Act (Ill. Rev. Stat. 1991, ch. 32, par. 660, as amended by P.A. 87-1090, effective September 15, 1992) and Section 10 of the Dental Service Plan Act (Ill. Rev. Stat. 1991, ch. 32, par. 690.25, as amended by P.A. 87-1090, effective September 15, 1992) and Section 24 of the Pharmaceutical Service Plan Act (Ill. Rev. Stat. 1991, ch. 32, par. 691.24, as amended by P.A. 87-1090, effective September 15, 1992) and Section 4003 of the Limited Health Service Organization Act (Ill. Rev. Stat. 1991, ch. 73, par. 1504.3, as amended by P.A. 87-1090, effective September 15, 1992) and Section 5-3 of the Health Maintenance Organization Act (Ill. Rev. Stat. 1991, ch. 111, par. 1411.2, as amended by P.A. 87-1090, effective September 15, 1992).

(Source: Amended at 17 Ill. Reg. _____, effective _____)

Section 916.20 Purpose and Scope

The purpose of this Part is to establish a uniform, expeditious and required method and procedure under which all companies,

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

defined under Section 916.30, must shall file with and secure approval of the Director of Insurance of all life insurance, annuity and accident and health insurance policy forms, defined under Section 916.30, before issuance of or delivery in-the State-of-illinois.

(Source: Amended at 17 Ill. Reg. _____, effective _____)

Section 916.30 Definitions

Category means the general classification of the policy form to be issued or delivered.

Certificate of Assumption Transmittal Sheet means a coding blank to be completed when one company assumes a block of business from another company. Instructions for completing the Certificate of Assumption Transmittal Instructions and Transmittal Sheet are found in Exhibit C, Illustration B.

Code means a general description of the policy form to be issued or delivered. (Exhibit B, Coding Guide).

Coding Guide represents by abbreviation types of coverage. (Exhibit B, Coding Guide).

Combination Forms means a policy form which will be used for both Life and Accident and Health.

Company as-used-in-this-Part means any entity which is defined as a "company" in Section 2 of the Illinois Insurance Code (Ill. Rev. Stat. 198391, ch. 73, par. 614) [215 ILCS 5/2] in Section 2 of the Voluntary Health Services Plans Act (Ill. Rev. Stat. 1991, ch. 32, par. 596, as amended by P.A. 87-1090, effective September 15, 1992), in Section 2 of the Vision Service Plan Act (Ill. Rev. Stat. 1991, ch. 32, par. 652, as amended by P.A. 87-1090, effective September 15, 1992), in Section 3 of the Dental Service Plan Act (Ill. Rev. Stat. 1991, ch. 32, par. 690.3, as amended by P.A. 87-1090, effective September 15, 1992) in Section 3 of the Pharmaceutical Service Plan Act (Ill. Rev. Stat. 1991, ch. 32, par. 691.3, as amended by P.A. 87-1090, effective September 15, 1992), in Section 1002 of the Limited Health Service Organization Act (Ill. Rev. Stat. 1991, ch. 73, par. 1501-2, as amended by P.A.

DEPARTMENT OF INSURANCE

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87-1090, effective September 15, 1992) and in Section 1-2 of the Health Maintenance Organization Act (Ill. Rev. Stat. 1991, ch. 111, par. 1402, as amended by P.A. 87-1090, effective September 15, 1992) and which issues or delivers in-the-State-of-Illinois policies, group contracts or certificates of life, annuity and accident and health insurance, which fall within the definition of Classes 1(a), 1(b) and 2(a) of Section 4 of said Illinois Insurance Code (Ill. Rev. Stat. 198391, ch. 73, par. 616) [215 ILCS 5/4].

Filing Identification Number means the number assigned by the company, not to exceed 15 characters, and is used to distinguish one filing from any other filing submitted by that same company.

General Purpose Form means a policy form may be used with either a group or individual policy form.

General Transmittal Sheet means a coding blank which must be attached to the letter of submittal. Instructions for completing the General Transmittal Sheet follow as Exhibit C.

Informational Transmittal Sheet means a coding blank to be completed when submitting an informational filing. See Exhibit C, Illustration C. Instructions for completing the Informational Transmittal Sheet are also found in Exhibit C, Illustration C.

Optional Rider/Endorsement means an endorsement which is not required by regulation or statute and may be attached to various policies.

Policy form as-used-in-this-Part means any form to be issued or delivered in-the-State-of-Illinois constituting in form and content a policy, group contract or certificate of insurance or evidence of coverage, endorsement, rider, by-law or other matter incorporated by reference, or application blank or discretionary group forms requiring the Director's approval pursuant to Section 230.2 and 367.3 of the Illinois Insurance Code (215 ILCS 5/230.2 and 5/367.3). It does not include riders or endorsements issued or made at the request of the individual policyholder relating to the manner of distribution of benefits or to the reservation of rights and benefits under a life insurance

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policy. A Policy form as-used-in-this-Part does not include any rider or endorsement which is-to-be; or could-be; attached-to; or-is-intended-to-be made a part of a policy subsequent to the date of the policy is issued and unilaterally reduces benefits; such riders or endorsements must shall be formally reviewed and formally approved by the Director prior to their use issuance or delivery in-the-State pursuant to Section 143 of the Illinois Insurance Code (Ill. Rev. Stat. 198391, ch. 73, par. 755) [215 ILCS 5/143]. A transmittal sheet is required to be submitted with all policy forms, including subsequently issued riders or endorsements.

Replacement/Withdrawal Transmittal Sheet means a coding blank to be completed when a pending policy form is withdrawn, or when an approved policy form is being replaced, or when an approved policy form is no longer being issued. Instructions for completing the Replacement/Withdrawal Transmittal Sheet are found in Exhibit C, Illustration A.

Required Rider/Endorsement means an endorsement which is required by regulation or statute and must be attached to a policy form as a condition of approval.

Subcode means a detailed description of the policy form, found in Exhibit B.

Type means the characteristic of the policy form found in Exhibit B.

(Source: Amended at 17 Ill. Reg. _____, effective _____)

Section 916.40 Procedure

a) Each company shall file with and secure the approval of the Director of Insurance of for each policy form before it is issued or delivered in-the-State-of-Illinois.

b) Each policy form filing must include:

- 1) A letter of submission in-duplicate giving a detailed description of the purpose for the policy form and the manner in which it will be marketed;

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- 2) The policy form(s) in duplicate;
- 3) A Certificate of Compliance and Consent for Future Discontinuance of Use, as set forth in Exhibit A to this Part, along with the General Transmittal Sheet, as set forth in Exhibit C in duplicate identifying the company filing number and listing the policy form numbers, identifying each by the category, type, code, and subcode as set forth in the Exhibit B of this Part. Instructions for completing the General Transmittal Sheet and applying the category, type, code and subcode for each policy form are included in Exhibit C. Combination forms shall be submitted as two separate filings. Each shall be identified by their own filing identification number and category.
- 4) Each policy form must be made out in "John Doe" fashion, exactly as it is to be delivered to a policyholder or certificate owner, in final print, except for any appropriate variable material. The form number must shall appear in the lower left-hand corner of the policy form to be approved, and shall not exceed 30 characters.
- 5) A detailed description of the purpose of the policy form and the manner by which it will be marketed.
- 45) On the Certification required by Section 916.50, the name, address and telephone number of the individual most familiar with the contents of the form filing must be provided. The Department will contact that named individual in the event any questions or comments are necessary as a result of the filing.
- 6) Resubmission of pending policy forms within a filing shall be submitted under their original "Filing Identification Number".
- c) Riders or endorsements which unilaterally reduce benefits, and are attached to a policy subsequent to the date the policy is issued, shall be reviewed and approved by the Director prior to their issuance or delivery and must be submitted on a separate transmittal sheet.

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- e)d) Substitution of any new policy form for a form previously approved, where such new policy form bears the same form number or identification as the previously approved form, must be accompanied by a statement that the filing is a substitution and the number and identification of the previously approved form and the date of the previous approval together with advice that the previously approved policy form was never issued in this State. Substitution filings must be assigned their own filing identification number, and the substituted filing must be withdrawn by completing a transmittal sheet.
- de) A policy form submitted for filing under this Part may be issued or delivered in the State of Illinois only after the policy form has been approved by the Director of Insurance.
- e) Each Certification of Compliance and Consent must have attached to it an identification listing of the policy form numbers and titles of the forms to which the certification applies.
- f) Each Certification of Compliance and Consent to Future Discontinuance of Use must be in a form substantially similar to that set forth in Exhibit A of this Part.
- g) Each Individual accident and health policy form filings shall be accompanied by a description of the classification of risks and the premium rates. Appropriate data demonstrating the calculation of the rates must shall accompany each individual accident and health form filing. Subsequent rates shall be submitted as an informational type filing pursuant to subsection (j) below.
- h) Each replacement/withdrawal of a policy form shall include:
- 1) A letter of explanation.
 - 2) A Replacement/Withdrawal Transmittal Sheet, Exhibit C, Illustration A, in duplicate listing the Filing Identification Number and Policy form number of the forms to be withdrawn.

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As a condition to the utilization of the foregoing procedure for the filing and approval of policy forms, each company must shall submit a "Certification of Compliance and Consent to Future Discontinuance of Use of Approved Policy Form." The certification must shall be signed by an officer of the company, identified by title, who has the authority to obligate said company by such signature. In this manner, the company shall agree and consent to the discontinuance by the company of future use of any such approved policy form, (30) days from the date of mailing an order of withdrawal pursuant to Section 143 of the Illinois Insurance Code, from the Director of Insurance setting forth the reasons why such previously approved form is violative of or contrary to the provisions of the Illinois Insurance Code or 50 Ill. Adm. Code; provided, however, that if the company within the 30 day period after receipt of such certified mail notice, notifies the Director of Insurance of its desire and request for a hearing, the order of withdrawal shall be stayed and the company shall be afforded an early opportunity for a hearing under such provisions of Section 143(1), 401(c), 401.1, 402(2), 426 and 429 of the Illinois Insurance Code (Ill. Rev. Stat. 198391, ch. 73, pars. 755(1), 1013(c), 1013.1, 1014(2), 1033, 1036) [215 ILCS 5/143(1), 5/401(c), 5/401.1, 5/402(2), 5/426 and 5/429] and 50 Ill. Adm. Code 2402 as may be applicable to determine:

- a) whether or not such policy form shall be disapproved and
- b) what further orders of the Director of Insurance may be appropriate under the particular circumstances.

(Source: Amended at 17 Ill. Reg. _____, effective _____)

Section 916. Exhibit B Coding Guide

LIFE

Category

Determine if your policy is a general, individual or group life policy form. With this information, determine the category.

GPL	GENERAL PURPOSE LIFE
INL	INDIVIDUAL LIFE
GRL	GROUP LIFE

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- 3) Each time a company's policy form will no longer be issued, it is the responsibility of the company to notify the Director of such action, on the Replacement/Withdrawal Transmittal Sheet Exhibit C, Illustration A. In instances where a company merges with another, or where a company assumes a block of business from another the Filing Identification Number is prefixed with the FEIN of the ceded company followed by a dash. Instructions for completing the Replacement/Withdrawal Transmittal Sheet are found in Exhibit C, Illustration A.
- i) Each Certificate of Assumption submitted shall include:
 - 1) A letter of submission;
 - 2) The assumption certificate in duplicate;
 - 3) A Certificate of Compliance and Consent for Future Discontinuance of Use, as set forth in Exhibit A of this Part, along with the Certificate of Assumption Transmittal Sheet in duplicate, Exhibit C, Illustration B. An assumption certificate will not be approved until the assumed policy forms are listed on the required transmittal sheet. Instructions for completing the Certificate of Assumption Transmittal Sheet are found in Exhibit C, Illustration B.

j) Each Informational Filing shall include:

- 1) A letter of submission in duplicate;
- 2) The informational material to be filed in duplicate;
- 3) An Informational Transmittal Sheet in duplicate. Instructions for completing the Informational Transmittal Sheet are found in Exhibit C, Illustration C.

(Source: Amended at 17 Ill. Reg. _____, effective _____)

Section 916.50 Certification of Compliance and Consent to Future Discontinuance of Use of Approved Policy Form

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Type

The type of policy form determines how the policy form is to be used. Is the policy form an application, a policy or certificate, an endorsement or insert page? Choose the type that best fits your policy form.

Policy Form Type

APP APPLICATION
POL POLICY
CER CERTIFICATE
POC POLICY/CERTIFICATE
COP COMBINATION POLICY
CPC COMBINATION POLICY CERTIFICATE
OER OPTIONAL ENDORSEMENT/RIDER

Attachment Type

RER REQUIRED ENDORSEMENT/RIDER
MIP MATRIX/INSERT PAGE
SCP SCHEDULE PAGE
ASC ASSUMPTION CERTIFICATE

Informational Type

RAT RATE
CAL CALCULATIONS
ULI UNIVERSAL LIFE INFO
VAM VARIABLE MATERIAL
DGI DISCRETIONARY GROUP INFORMATION
VAA VARIABLE ACCOUNT ADVERTISING

OSA OTHER STATE APPROVAL
INP INFORMATIONAL POLICY
RIM REQUIRED INFORMATIONAL MATERIAL

Code

Choose the code that best identifies your policy form. Two codes may be used per policy form. Therefore, choose either one code or two codes which summarize the general terms of your policy form.

ACD ACCIDENTAL DEATH
CIB CHILDRENS INSURANCE BENEFIT
CON CONVERSION

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DII DISABILITY INCOME
END ENDOWMENT
EXC EXCLUSION
FIB FAMILY INSURANCE BENEFIT
GUI GUARANTEED INSURABILITY
INL INDUSTRIAL LIFE
JTL JOINT TERM LIFE
JWL JOINT WHOLE LIFE
LAS LAST SURVIVOR
LEE LEGAL EXPENSE
LTC LONG TERM CARE
MOI MORTGAGE INSURANCE
PAW PAYOR WAIVER
SPD SPECIFIED DISEASE
SIB SPOUSE INSURANCE BENEFIT
SUB SUPPLEMENTAL BENEFIT
TEL TERM LIFE
TEI TERMINAL ILLNESS
UNL UNIVERSAL LIFE
VUL VARIABLE UNIVERSAL LIFE
VAL VARIABLE LIFE
WOP WAIVER OF PREMIUM
WHL WHOLE LIFE

Subcode

The purpose of the subcode is to describe the code in more detail, and/or the type of policy being issued, i.e., Discretionary Group, Association, M.E.T., etc. Three subcodes are allowed for each policy form. If a subcode does not apply, it is not required.

ADB ACCELERATED DEATH BENEFIT
OPB OPTIONAL BENEFIT
DUB DUAL BENEFIT
INB INCREASING BENEFIT
DEB DECREASING BENEFIT
LEB LEVEL BENEFIT
PFB PREARRANGED FUNERAL BENEFIT
REN RENEWABLE
NOR NONRENEWABLE
SIP SINGLE PREMIUM
FIP FIXED PREMIUM
FLP FLEXIBLE PREMIUM
INP INCREASING PREMIUM
DEP DECREASING PREMIUM
MOP MODIFIED PREMIUM

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IDP	INDETERMINATE PREMIUM
DIG	DISCRETIONARY GROUP
MET	M.E.T.
TME	TRUST/M.E.W.A.
ASS	ASSOCIATION
FRA	FRANCHISE

ANNUITIES

Category

Determine if your policy form is an individual or group policy form. With this information, determine the category.

GRA	GROUP ANNUITY
INA	INDIVIDUAL ANNUITY

Type

The type of policy form determines how the policy form is to be used. Is the policy form an application, a policy or certificate, an endorsement or insert page? Choose the type that best fits your policy form.

Policy Form Type

APP	APPLICATION
POL	POLICY
CER	CERTIFICATE
POC	POLICY/CERTIFICATE
OER	OPTIONAL ENDORSEMENT/RIDER

Attachment Type

RER	REQUIRED ENDORSEMENT/RIDER
MTP	MATRIX/INSERT PAGE
SCP	SCHEDULE PAGE
ASC	ASSUMPTION CERTIFICATE

Informational Type

VAA	VARIABLE ACCOUNT ADVERTISING
VAM	VARIABLE MATERIAL
OSA	OTHER STATE APPROVAL
INP	INFORMATIONAL POLICY

Code

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Choose the code that best identifies your policy form filing. Two codes may be used per policy form. Therefore, choose either one code or two codes which summarize the general terms of your policy form.

FIP	FIXED PREMIUM
FLP	FLEXIBLE PREMIUM
SIP	SINGLE PREMIUM
SUB	SUPPLEMENTAL BENEFIT

Subcode

The purpose of the subcode is to describe the code in more detail. Three subcodes are allowed for each policy form filing. If a subcode does not apply, it is not required.

EII	EXTERNAL INTEREST INDEXED
DII	DUAL INTEREST INDEXED
INS	INTEREST SENSITIVE
VAR	VARIABLE
DEF	DEFERRED
IMM	IMMEDIATE

CREDIT

Category

First, determine if your policy form is an individual or group policy form. Second, determine if your policy form is credit accident and health or credit life policy form. With this information, determine the category.

GCL	GROUP CREDIT LIFE
GCA	GROUP CREDIT ACCIDENT AND HEALTH
ICL	INDIVIDUAL CREDIT LIFE
ICA	INDIVIDUAL CREDIT ACCIDENT AND HEALTH

Type

The type of policy form determines how the policy form is to be used. Is the policy form an application, a policy or certificate, an endorsement or insert page? Choose the type that best fits your policy form.

Policy Form Type

APP	APPLICATION
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ACCIDENT AND HEALTH

Category

Determine if your policy form is general purpose, individual or group. With this information, determine the category.

GPA	GENERAL PURPOSE A&H
IAH	INDIVIDUAL A&H
GAH	GROUP A&H

Type

The type of policy form determines how the policy form is to be used. Is the policy form an application, a policy or certificate, an endorsement or insert page? Choose the type that best fits your policy form.

Policy Type Form Type

APP	APPLICATION
POL	POLICY
CER	CERTIFICATE
POC	POLICY/CERTIFICATE
COP	COMBINATION POLICY
CPC	COMBINATION POLICY CERTIFICATE
OER	OPTIONAL ENDORSEMENT/RIDER

Attachment Type

RER	REQUIRED ENDORSEMENT/RIDER
MIP	MATRIX/INSERT PAGE
SCP	SCHEDULE PAGE
ASC	ASSUMPTION CERTIFICATE

Informational Type

RAT	RATE
CAL	CALCULATIONS
ADV	ADVERTISING
VAM	VARIABLE MATERIAL
DGI	DISCRETIONARY GROUP INFORMATION
OSA	OTHER STATE APPROVAL
OOC	OUTLINE OF COVERAGE
INP	INFORMATIONAL POLICY
RIM	REQUIRED INFORMATIONAL MATERIAL

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CER	CERTIFICATE
POC	POLICY/CERTIFICATE
POL	POLICY
OER	OPTIONAL ENDORSEMENT/RIDER

Attachment Type

RER	REQUIRED ENDORSEMENT/RIDER
MIP	MATRIX/INSERT PAGE
SCP	SCHEDULE PAGE
ASC	ASSUMPTION CERTIFICATE

Informational Type

RAT	RATE
CAL	CALCULATIONS
VAM	VARIABLE MATERIAL
DGI	DISCRETIONARY GROUP INFORMATION
OSA	OTHER STATE APPROVAL
INP	INFORMATIONAL POLICY
RIM	REQUIRED INFORMATIONAL MATERIAL

Code

Choose the code that best identifies your policy form. Two codes may be used per policy form. Therefore, choose either one code or two codes which summarize the general terms of your policy form.

LEB	LEVEL BENEFIT
DEB	DECREASING BENEFIT
SUB	SUPPLEMENTAL BENEFIT

Subcode

The purpose of the subcode is to describe the code in more detail. Three subcodes are allowed for each policy form. If a subcode does not apply, it is not required.

CPB	CRITICAL PERIOD BENEFIT
TRB	TRUNCATED BENEFIT
NOB	NONSTANDARD BENEFIT
SIP	SINGLE PREMIUM
MOP	MONTHLY OUTSTANDING PREMIUM
LEP	LEVEL PREMIUM

Code

Choose the code that best identifies your policy form. Two codes may be used per policy form. Therefore, choose either one code or two codes which summarize the general terms of your policy form.

ADD	ACCIDENTAL DEATH AND DISMEMBERMENT
ACO	ACCIDENT ONLY
BLA	BLANKET
CAN	CANCER
COM	COMPREHENSIVE MEDICAL
CON	CONVERSION
CUS	CUSTODIAL
DEN	DENTAL
DII	DISABILITY INCOME
EXE	EXCESS
EXC	EXCLUSION
HHC	HOME HEALTH CARE
HOI	HOSPITAL INDEMNITY
HSM	HOSPITAL/SURGICAL MEDICAL
LEE	LEGAL EXPENSE
LTC	LONG TERM CARE
MAM	MAJOR MEDICAL
MAT	MATERNITY
MES	MEDICARE SUPPLEMENT
NHC	NURSING HOME CARE
PHC	PHARMACEUTICAL COVERAGE
WOP	WAIVER OF PREMIUM
SCS	SCHOOL COVERAGE/STUDENTS
SNF	SKILLED NURSING FACILITY
SPD	SPECIFIED DISEASE
STL	STOP LOSS
SUB	SUPPLEMENTAL BENEFIT
TRA	TRAVEL ACCIDENT
VIC	VISION COVERAGE

Subcode

The purpose of the subcode is to describe the code in more detail, and/or the type of policy being issued, i.e., Discretionary Group, Association, M.E.T., etc. Three subcodes are allowed for each policy form. If a subcode does not apply, it is not required.

LIB	LIMITED BENEFIT
PPA	PREFERRED PROVIDER ARRANGEMENT

NON	NONCANCELLABLE
GUR	GUARANTEED RENEWABLE
OPR	OPTIONALLY RENEWABLE
COP	COMPOSITE PREMIUM
TEP	TERM PREMIUM
MOP	MONTHLY PREMIUM
POS	POINT OF SERVICE
DIG	DISCRETIONARY GROUP
MET	M.E.T.
TWE	TRUST/M.E.W.A.
ASS	ASSOCIATION
FRA	FRANCHISE
DUO	DUAL OPTION

SERVICE ORGANIZATIONS

Category

First, determine if your policy form is an individual or group policy form. Second, determine whether the submission is being made by a service organization, a health maintenance organization, or a limited health service organization. With this information, determine the category.

SEO	SERVICE ORGANIZATIONS
IHM	INDIVIDUAL HEALTH MAINTENANCE ORGANIZATION
GHM	GROUP HEALTH MAINTENANCE ORGANIZATION
LHS	LIMITED HEALTH SERVICE ORGANIZATION

Type

The type of policy form determines how the policy form is to be used. Is the policy form an application, a policy or certificate, an endorsement or insert page? Choose the type that best fits your policy form.

New Policy Form Type

APP	APPLICATION
POL	POLICY
CER	CERTIFICATE
POC	POLICY/CERTIFICATE
DER	OPTIONAL ENDORSEMENT/RIDER

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New Attachment Type

RER REQUIRED ENDORSEMENT/RIDER
 MIP MATRIX/INSERT PAGE
 SCP SCHEDULE PAGE
 ASC ASSUMPTION CERTIFICATE

Informational Type

RAT RATE
 ADV ADVERTISING
 VAM VARIABLE MATERIAL
 FBB FEDERAL BENEFIT BROCHURE
 MEH MEMBER HANDBOOK
 IDC IDENTIFICATION CARD
 ASO ADMINISTRATIVE SERVICE ONLY
 RIM REQUIRED INFORMATIONAL MATERIAL

Code

Choose the code that best identifies your policy form. Two codes may be used per policy form. Therefore, choose either one code or two codes which summarize the general terms of your policy form filing.

AMC AMBULANCE COVERAGE
 BHC BASIC HEALTH COVERAGE
 CON CONVERSION
 DEN DENTAL
 EXC EXCLUSION
 MED MEDICARE
 MES MEDICARE SUPPLEMENT
 PHC PHARMACEUTICAL COVERAGE
 POC PODIATRIC COVERAGE
 VIC VISION COVERAGE
 SUB SUPPLEMENTAL BENEFIT

Subcode

The purpose of the subcode is to describe the code in more detail, and/or the type of policy being issued, i.e., Discretionary Group, Association, M.E.T., etc. Three subcodes are allowed for each policy form. If a subcode does not apply, it is not required.

CMP COMPETITIVE MARKETING PLAN
 COC COST CONTRACT

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HCP HEALTH CARE PREPAYMENT PLAN
 PAB PUBLIC AID BENEFITS
 POS POINT OF SERVICE
 RIC RISK CONTRACT
 SCB SINGLE CASE BASIS
 SOI STATE OF ILLINOIS
 PPA PREFERRED PROVIDER ARRANGEMENT
 DIG DISCRETIONARY GROUP
 MET M.E.T.
 TME TRUST/M.E.W.A.
 ASS ASSOCIATION
 DUO DUAL OPTION

(Source: Added at 17 Ill. Reg. _____, effective _____)

Section 916. Exhibit C General Transmittal Instructions and Transmittal Sheet

1) Company Name2) Company FEIN - Federal Employer Identification Number3) Company Filing Number - Number used to distinguish this policy form filing from any other policy form filing submitted to the Department of Insurance for approval or withdrawal. This number is limited to 15 characters. Do not use blank spaces in filing numbers.4) Company Contact Person - The individual most familiar with this form filing.5) Contact Person Phone Number - Telephone number of Contact Person.6) Submittal Date - Date of Letter of Submittal7) New Policy Forms

A) SEQ # - Sequence number is used to facilitate future retrieval of microfilmed forms at the Department. This number identifies the placement of a form within a filing. The sequence number must follow the physical order of forms within a filing.

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B) New Policy Form # - Identification in the lower left-hand corner of policy form being submitted. This number is limited to 30 characters. Do not use blank spaces when identifying a policy form.

C) Category - The classification of the policy form taken from the Coding Guide (Exhibit B). Note that Category GPL and GPA apply only to applications and endorsements.

D) Type - The characteristic abbreviation of the policy form taken from the Coding Guide (Exhibit B). Note: For purposes of completing this transmittal sheet, an optional endorsement/rider (Type OER) is considered a policy form.

E) Code - The descriptive abbreviation of the policy form taken from the Coding Guide (Exhibit B). Choose one or two codes which best fit the general terms of your policy form filing. If a code does not apply, leave the space blank.

F) Subcode - A more detailed descriptive abbreviation of the policy form taken from the Coding Guide (Exhibit B)(if only one subcode applies, then leave the other spaces blank; if a subcode does not apply, leave the space blank).

G) P/N - Indicate if the policy form is Participating or Non-Participating by placing a P or an N in the blank. If the term is not applicable, leave the space blank.

Note: When submitting more policy forms than the transmittal sheet will allow for, continue completing the same section on an additional form, including the information in items one through five and the appropriate page number.

8) New Attachments (Type RER) Required Endorsement/Rider, (Type MIP) Matrix/Insert Page, (Type SCP) Schedule Page) to be added to every Policy Form listed in Section 7 and/or Section 9. A Required Endorsement/Rider is one which is required

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by statute or Administrative Code and must be attached to the policy as a condition for approval. If the attachments do not attach to all policy forms listed in Section 7 and/or Section 9, those attachments must be submitted on a separate transmittal sheet.

A) SEQ # - Sequence number is used to facilitate future retrieval of forms by this Department. This number identifies the placement of a form within a filing. The sequence number must follow the physical order of forms within a filing.

B) New Attachment Form # - Identification in the lower left-hand corner of policy form being submitted. This number is limited to 30 characters. Do not use blank spaces when identifying a policy form.

C) Category - The classification of the policy form taken from the Coding Guide (Exhibit B).

D) Type - The characteristic abbreviation of the policy form taken from the Coding Guide (Exhibit B).

E) Code - The descriptive abbreviation of the policy form taken from the Coding Guide (Exhibit B). Choose one or two codes which best fit the general terms of your policy form filing. If a code does not apply, leave the space blank.

F) Subcode - A more detailed descriptive abbreviation of the policy form taken from the Coding Guide (Exhibit B)(if only one subcode applies, then leave the other spaces blank; if a subcode does not apply, leave the space blank).

Note: When submitting more policy forms than the transmittal sheet will allow for, continue completing the same section on an additional form, including the information in items one through five and the appropriate page number.

9) Attachments added to previously approved Policy Form.

A) Previously Approved Filing # - If the attachment in Section 8 (Type MIP), (Type END) or (Type SCP) is

to be added to a previously approved policy form,
list the original filing number of that policy form
filing here.

Note: If forms are acquired through a merger, use the original filing number prefixed with the FEIN of the original company.

B) Previously Approved Policy Form # - Identification of the previously approved policy form must be listed here.

Note: When submitting more policy forms than the transmittal sheet will allow for, continue completing the same section on an additional form, including the information in items one through five and the appropriate page number.

10) Previously Approved Attachments - If these attachments will be issued with the new policy form listed in Section 7, list here. These attachments include required endorsements (Type RER) or matrix/insert pages (Type MIP).

A) Previously Approved Attachment Filing # - The
original filing number of the policy form to be
maintained as an attachment.

B) Previously Approved Attachment Form # - Identification for the policy form to be maintained as an attachment to the policy listed in Section 7.

Note: When submitting more policy forms than the transmittal sheet will allow for, continue completing the same section on an additional form, including the information in items one through five and the appropriate page number.

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Page of

GENERAL TRANSMITTAL SHEET

- 1) COMPANY NAME _____
- 2) COMPANY FEIN | _____
- 3) COMPANY FILING NUMBER | _____
- 4) COMPANY CONTACT PERSON _____
- 5) CONTACT PERSON PHONE NUMBER _____
- 6) SUBMITTAL DATE _____
- 7) NEW POLICY FORMS _____

(a) SEQ #	(b) NEW POLICY FORM #	(c) CAT	(d) TYPE	(e) CODE	(f) SUB CODE	(g) PIN
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8) **NEW ATTACHMENTS (Required Endorsement Rider (Type RER), Matrix/Insert Page (Type MIP), Schedule Page (Type SCP))** to be added to every Policy Form listed in Section 7 and or Section 9. A Required Endorsement Rider is one which is required by statute or must be attached to the policy as a condition for approval.

[illegible]

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

Section 916. Exhibit C, Illustration B, Certificate of Assumption Transmittal Instructions and Transmittal Sheet

- 1) Assuming Company Name
- 2) Assuming Company FEIN - Federal Employer Identification Number
- 3) Assuming Company Filing Number - Number used to distinguish this policy form filing from any other policy form filing submitted to Illinois for approval. Do not use blank spaces in filing numbers.
- 4) Assuming Company Contact Person - Individual's name most familiar with this filing.
- 5) Contact Person Phone Number - Phone number for individual most familiar with this filing.
- 6) Ceding Company Name
- 7) Ceding Company FEIN - Federal Employer Identification Number
- 8) Assumption Certificate

- A) Policy Form # - Identification in the lower left-hand corner of policy form being submitted. Do not use blank spaces when identifying a policy form.
- B) Category - The classification of the policy form taken from the coding guide (Exhibit B).
- C) Type - The characteristic abbreviation "ASC" taken from the coding guide (Exhibit B).
- D) Code - The descriptive abbreviation of the policy form taken from Exhibit B (if the code does not apply to your filing, leave the space blank).
- E) Subcode - A more detailed descriptive numerical designation of the policy form taken from Exhibit B (if only one subcode applies, then leave the other spaces blank).

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

- 9) Previously approved ceding company filing number and policy form # affected by Assumption Certificate A. Do not use blank spaces in filing numbers or when identifying policy forms.
- 10) Previously approved ceding company filing number and policy form # affected by Assumption Certificate B. Do not use blank spaces in filing numbers or when identifying policy forms.
- 11) Previously approved ceding company filing number and policy form # affected by Assumption Certificate C. Do not use blank spaces in filing numbers or when identifying policy forms.

Note: Assumption certificates will not be approved until the list of assumed policy forms are listed on the required transmittal sheet.

Note: When submitting more policy forms than the transmittal sheet will allow for, continue completing the same section on an additional form, including the information in items one through seven and the appropriate page number.

NOTICE OF PROPOSED AMENDMENTS

Page ____ of ____

CERTIFICATE OF ASSUMPTION TRANSMITTAL SHEET

- 1) ASSUMING COMPANY NAME _____
- 2) ASSUMING COMPANY FEIN _____
- 3) ASSUMING COMPANY FILING NUMBER _____
- 4) ASSUMING COMPANY CONTACT PERSON _____
- 5) CONTACT PERSON PHONE NUMBER _____
- 6) CEDING COMPANY NAME _____
- 7) CEDING COMPANY FEIN _____
- 8) ASSUMPTION CERTIFICATE _____

	(a) POLICY FORM #	(b) CAT	(c) TYPE	(d) CODE	(e) SUB-CODE
A	_____	_____	ASC	_____	_____
B	_____	_____	ASC	_____	_____
C	_____	_____	ASC	_____	_____

9) Previously Approved Policy Forms Affected by Assumption Certificate #A

	CEDING COMPANY FILING #	CEDING POLICY FORM #
A1	_____	_____
A2	_____	_____
A3	_____	_____

10) Policy Forms Affected by Assumption Certificate #B

	CEDING COMPANY FILING #	CEDING POLICY FORM #
B1	_____	_____
B2	_____	_____
B3	_____	_____

11) Ceding Company Policy Forms Affected by Assumption Certificate #C

	CEDING COMPANY FILING #	CEDING POLICY FORM #
C1	_____	_____
C2	_____	_____
C3	_____	_____

(Source: Added at 17 Ill. Reg. _____ effective _____)

NOTICE OF PROPOSED AMENDMENTS

Section 916. Exhibit C, Illustration C, Informational Filing Transmittal Instructions and Transmittal Sheet

- 1) Company Name _____
- 2) Company FEIN - Federal Employer Identification Number _____
- 3) Company Contact Person - The individual most familiar with this informational filing _____
- 4) Contact Person Phone Number - Telephone number of Contact Person _____
- 5) Informational Filings: _____

A) Company Filing # - Number used to distinguish this informational filing from any other filing submitted to Illinois for filing. This number is limited to 15 characters. Do not use blank spaces in filing numbers.

B) Category - The classification of the policy form taken from the coding guide (Exhibit B).

C) Information Type - The characteristic abbreviation of the Informational Type taken from the Coding Guide (Exhibit B).

D) Related Previously Approved Filing # - Number used for previously approved/filed form for which this informational filing applies.

E) Related Previously Approved Form # - Identification of the previously approved policy form must be listed here.

Note: Only one informational filing can be made per transmittal sheet.

Note: When submitting more policy forms than the transmittal sheet will allow for, continue completing the same section on an additional form, including the information in items one through seven and the appropriate page number.

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

9) Are there any other proposed amendments pending on this Part? Yes

Sections	Proposed Action	Illinois Register Citation
112.78	Amendment	April 9, 1992 (17 Ill. Reg. 5436.)
112.127	Amendment	December 18, 1992 (16 Ill. Reg. 19642)
112.145	Amendment	April 9, 1992 (17 Ill. Reg. 5436.)
112.151	Amendment	April 9, 1992 (17 Ill. Reg. 5436.)
112.250	Amendment	January 4, 1993 (17 Ill. Reg. 46)
112.252	Amendment	January 4, 1993 (17 Ill. Reg. 46)
112.253	Amendment	January 4, 1993 (17 Ill. Reg. 46)
112.254	Amendment	January 4, 1993 (17 Ill. Reg. 46)

10) Statement of Statewide Policy Objectives: These proposed amendments do not affect units of local government.

11) Time, Place, and Manner in which Interested Persons may comment on this proposed rulemaking: Any interested parties may submit comments, data, views, or arguments concerning this proposed rulemaking. All comments must be in writing and should be addressed to Judy Umunna, Bureau of Rules and Regulations, Illinois Department of Public Aid, 100 South Grand Ave. E., 3rd Floor, Springfield, Illinois 62762. The Department will consider all written comments it receives within 30 days after the publication of this notice.

12) Initial Regulatory Flexibility Analysis:

- A) Date proposed rulemaking was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: Not applicable
- B) Types of small businesses affected: None
- C) Reporting, bookkeeping or other procedures required for compliance: None
- D) Types of professional skills necessary for compliance: None

The full text of the Proposed Amendments is identical to the text of the Emergency Amendments which appears in this issue of the Register on page 6327.

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part:

Intermediate Care for the Developmentally Disabled Facilities Code

2) Code Citation:

77 Ill. Adm. Code 350

3) Section Numbers:

350.260 Amendments
350.271 New Section
350.278 Amendments
350.290 Amendments

Proposed Action:

4) Statutory Authority:

Nursing Home Care Act
Ill. Rev. Stat. 1991, ch. 111 1/2, par. 4151-101 et seq.
[210 ILCS 45/1-101 et seq.(1992)]

5) A Complete Description of the Subjects and Issues Involved:

Section 350.260 - Subsection (d) of this Section is being amended to state that the terms of a conditional license shall be stayed pending the issuance of the Final Order at the conclusion of the hearing and that the facility may operate in the same manner as with an unrestricted license. In addition, subsection (c) is amended to state that the effective date of the conditional license shall be stayed.

Section 350.271 - This is a new Section concerning the presentation of findings at the conclusion of a survey. The rule will require the Department to conduct an exit conference at the conclusion of each on-site inspection, whether or not the investigation is completed. If the investigation has been completed, findings will be presented during the exit conference. The rule also provides a procedure for the submission of additional comments to the Department by the facility.

Section 350.278 - Subsection (g) is being amended to state that an approved plan of correction will be imposed by the Department anytime the Department issues a Type A or Repeat B violation.

Section 350.290 - Subsection (a)(5) is being amended to state that a facility will not be included on the Quarterly List of Violators if the terms of a conditional license issued to the facility have been stayed pursuant to Section 350.260(d).

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF PROPOSED AMENDMENTS

The Department has adopted identical emergency amendments in accordance with the emergency rulemaking requirements of the Illinois Administrative Procedure Act. The emergency rules became effective on February 3, 1993. These proposed amendments were considered by the Long-Term Care Facility Advisory Board at its February 9, 1993 meeting, as required by Section 2-204 of the Nursing Home Care Act.

The economic effect of this proposed rulemaking is unknown. Therefore, the Department requests any information that would assist in calculating this effect.

The Department anticipates adoption of this rulemaking approximately six to nine months after the publication of the notice in the Illinois Register.

6) Will this Rulemaking Replace an Emergency Rule Currently in Effect?

Yes X No —

7) Does this Rulemaking Contain an Automatic Repeal Date? Yes — No X

If "yes," please specify the date: —

8) Does this Rulemaking Contain Any Incorporations By Reference?

Yes — No X

If "yes," please specify type: 6.02(a) — or 6.02(b) —

9) Are there any other Proposed Amendments Pending on this Part?

Yes X No —

If Yes:

Section Numbers	Proposed Action	Ill. Reg. Citation
350.1235	New Section	16 Ill. Reg. 15044
350.640	Amendments	16 Ill. Reg. 17500
350.175	Amendments	17 Ill. Reg. 1269
350.180	Amendments	17 Ill. Reg. 1269
350.270	Amendments	17 Ill. Reg. 1269
350.640	Amendments	17 Ill. Reg. 1269
350.680	Amendments	17 Ill. Reg. 1269
350.685	Amendments	17 Ill. Reg. 1269
350.3210	Amendments	17 Ill. Reg. 1269

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

350.3330 Amendments 17 Ill. Reg. 1269
350.Appendix A Repealer 17 Ill. Reg. 1269

10) Statement of Statewide Policy Objectives:

This rulemaking does not create or expand a State Mandate.

11) Time, Place, and Manner in which Interested Persons May Comment on this Rulemaking:

Interested persons may present their comments concerning these rules by writing to Gail M. DeVito, Division of Governmental Affairs, Illinois Department of Public Health, 535 West Jefferson, Fifth Floor, Springfield, Illinois 62761 within 45 days after this issue of the Illinois Register.

These rules may have an impact on small businesses. In accordance with Sections 1-75 and 5-30 of the Illinois Administrative Procedure Act, any small business may present their comments in writing to Gail M. DeVito at the above address.

Any small business (as defined in Section 1-75 of the Illinois Administrative Procedure Act) commenting on these rules shall indicate their status as such, in writing, in their comments.

12) Initial Regulatory Flexibility Analysis:A) Date Rulemaking was Submitted to the Business Assistance Office of the Department of Commerce and Community Affairs:B) Type of Small Businesses Affected:

intermediate care facilities for the developmentally disabled

C) Reporting, Bookkeeping or Other Procedures Required for Compliance:

None

D) Types of Professional Skills Necessary for Compliance:

None

The full text of the Proposed Amendments begins on the next page:

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

TITLE 77: PUBLIC HEALTH
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH
SUBCHAPTER c: LONG-TERM CARE FACILITIES

PART 350

INTERMEDIATE CARE FOR THE DEVELOPMENTALLY DISABLED FACILITIES CODE

SUBPART A: GENERAL PROVISIONS

Section	
350.110	General Requirements
350.120	Application for License
350.130	Licensee
350.140	Issuance of an Initial License for a New Facility
350.150	Issuance of an Initial License Due to a Change of Ownership
350.160	Issuance of a Renewal License
350.165	Criteria for Adverse Licensure Actions
350.170	Denial of Initial License
350.175	Denial of Renewal of License
350.180	Revocation of License
350.190	Experimental Program Conflicting With Requirements
350.200	Inspections, Surveys, Evaluations and Consultation
350.210	Filing an Annual Attested Financial Statement
350.220	Information to Be Made Available to the Public By the Department
350.230	Information to Be Made Available to the Public By the Licensee
350.240	Municipal Licensing
350.250	Ownership Disclosure
350.260	Issuance of Conditional Licenses
350.270	Monitor and Receivership
350.271	Presentation of Findings
350.272	Determination to Issue a Notice of Violation or Administrative Warning
350.274	Determination of the Level of a Violation
350.276	Notice of Violation
350.277	Administrative Warning
350.278	Plans of Correction
350.280	Reports of Correction
350.282	Conditions for Assessment of Penalties
350.284	Calculation of Penalties
350.286	Determination to Assess Penalties
350.288	Reduction or Waiver of Penalties
350.290	Quarterly List of Violators
350.300	Alcoholism Treatment Programs In Long-Term Care Facilities
350.310	Department May Survey Facilities Formerly Licensed

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

Waivers
Definitions
Incorporated and Referenced Materials

350.320
350.330
350.340

SUBPART B: ADMINISTRATION

Administrator

350.510

SUBPART C: POLICIES

Management Policies
Resident Care Policies
Admission and Discharge Policies
Contract Between Resident and Facility
Residents' Advisory Council
General Policies
Personnel Policies
Initial Health Evaluation for Employees
Developmental Disabilities Aides
Student Interns
Disaster Preparedness
Serious Incidents and Accidents

350.610
350.620
350.630
350.640
350.650
350.660
350.670
350.675
350.680
350.685
350.690
350.700

SUBPART D: PERSONNEL

Personnel
Consultation Services
Personnel Policies

350.810
350.820
350.830

SUBPART E: RESIDENT LIVING SERVICES

Service Programs
Psychological Services
Social Services
Speech Pathology and Audiology Services
Recreational and Activities Services
Training and Habilitation Services
Training and Habilitation Staff

350.1010
350.1020
350.1030
350.1040
350.1050
350.1060
350.1070

SUBPART F: HEALTH SERVICES

Health Services
Physician Services

350.1210
350.1220

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350.1225 Tuberculin Skin Test Procedures
 350.1230 Nursing Services
 350.1240 Dental Services
 350.1250 Physical and Occupational Therapy Services

SUBPART G: MEDICATIONS

350.1410 Medication Policies and Procedures
 350.1420 Conformance with Physician's Orders
 350.1430 Administration of Medication
 350.1440 Labeling and Storage
 350.1450 Control of Narcotics and Legend Drugs

SUBPART H: RESIDENT AND FACILITY RECORDS

350.1610 Resident Record Requirements
 350.1620 Content of Medical Records
 350.1630 Confidentiality of Resident's Records
 350.1640 Records Pertaining to Residents' Property
 350.1650 Retention and Transfer of Resident Records
 350.1660 Other Resident Record Requirements
 350.1670 Staff Responsibility for Medical Records
 350.1680 Retention of Facility Records
 350.1690 Other Facility Record Requirements

SUBPART I: FOOD SERVICE

350.1810 Director of Food Services
 350.1820 Dietary Staff in Addition to Director of Food Services
 350.1830 Hygiene of Dietary Staff
 350.1840 Diet Orders
 350.1850 Adequacy of Diet and Meal Pattern
 350.1860 Therapeutic Diets
 350.1870 Scheduling Meals
 350.1880 Menu Planning
 350.1890 Food Preparation and Service
 350.1900 Food Handling Sanitation
 350.1910 Kitchen Equipment, Utensils, and Supplies

SUBPART J: MAINTENANCE, HOUSEKEEPING AND LAUNDRY

350.2010 Maintenance
 350.2020 Housekeeping

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350.2030 Laundry Services

SUBPART K: FURNISHINGS, EQUIPMENT, AND SUPPLIES

350.2210 Furnishings
 350.2220 Equipment and Supplies

SUBPART L: WATER SUPPLY AND SEWAGE DISPOSAL

350.2410 Codes
 350.2420 Water Supply
 350.2430 Sewage Disposal
 350.2440 Plumbing

SUBPART M: CONSTRUCTION STANDARDS FOR NEW INTERMEDIATE CARE FACILITIES FOR THE DEVELOPMENTALLY DISABLED

350.2610 Applicability of These Standards
 350.2620 Codes and Standards
 350.2630 Preparation of Drawings and Specifications
 350.2640 Site
 350.2650 Administration and Public Areas
 350.2660 Nursing Unit
 350.2670 Dining, Living, Activities Rooms
 350.2680 Therapy and Personal Care
 350.2690 Service Departments
 350.2700 General Building Requirements
 350.2710 Structural
 350.2720 Mechanical Systems
 350.2730 Plumbing Systems
 350.2740 Electrical Systems

SUBPART N: CONSTRUCTION STANDARDS FOR EXISTING INTERMEDIATE CARE FACILITIES FOR THE DEVELOPMENTALLY DISABLED

350.2910 Applicability
 350.2920 Codes and Standards
 350.2930 Preparation of Drawings and Specifications
 350.2940 Site
 350.2950 Administration and Public Areas
 350.2960 Nursing Unit
 350.2970 Living, Dining, Activities Rooms
 350.2980 Treatment and Personal Care

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350.2990 Service Departments
 350.3000 General Building Requirements
 350.3010 Structural
 350.3020 Mechanical Systems
 350.3030 Plumbing Systems
 350.3040 Electrical Requirements

SUBPART O: RESIDENT'S RIGHTS

350.3210 General
 350.3220 Medical and Personal Care Program
 350.3230 Restraints
 350.3240 Abuse and Neglect
 350.3250 Communication and Visitation
 350.3260 Resident's Funds
 350.3270 Residents' Advisory Council
 350.3280 Contract With Facility
 350.3290 Private Right of Action
 350.3300 Transfer or Discharge
 350.3310 Complaint Procedures
 350.3320 Confidentiality
 350.3330 Facility Implementation

SUBPART P: SPECIAL STANDARDS FOR INTERMEDIATE CARE FACILITIES
FOR THE DEVELOPMENTALLY DISABLED OF 16 BEDS OR LESS

350.3710 Applicability of Other Provisions of this Part
 350.3720 Administration
 350.3730 Admission and Discharge Policies
 350.3740 Personnel
 350.3750 Consultation Services and Nursing Services
 350.3760 Medication Policies
 350.3770 Food Services
 350.3780 Codes and Standards
 350.3790 Administration and Public Areas
 350.3800 Bedrooms
 350.3810 Nurses Station
 350.3820 Bath and Toilet Rooms
 350.3830 Utility Rooms
 350.3840 Living, Dining, Activity Rooms
 350.3850 Therapy and Personal Care
 350.3860 Kitchen
 350.3870 Laundry Room

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350.3880 General Building Requirements
 350.3890 Corridors
 350.3900 Special Care Room
 350.3910 Exit Facilities and Subdivision of Floor Areas
 350.3920 Stairways, Vertical Openings and Doorways
 350.3930 Hazardous Areas and Combustible Storage
 350.3940 Mechanical Systems
 350.3950 Heating, Cooling, and Ventilating Systems
 350.3960 Plumbing Systems
 350.3970 Electrical Systems
 350.3980 Fire Alarm and Detection System
 350.3990 Emergency Electrical System
 350.4000 Fire Protection
 350.4010 Construction Types
 350.4020 Equivalencies
 350.4030 New Construction Requirements

SUBPART Q: DAY CARE PROGRAMS

350.4210 Day Care in Long-Term Care Facilities

350.APPENDIX A Classification of Distinct Part of a Facility for Different Levels of Service
 350.APPENDIX B Federal Requirements Regarding Residents' Rights
 350.APPENDIX C Seismic Zone Map
 350.APPENDIX D Forms for Day Care in Long-Term Care Facilities
 350.TABLE A Sound Transmission Limitations in New Intermediate Care Facilities for the Developmentally Disabled
 350.TABLE B Pressure Relationships and Ventilation Rate of Certain Areas for the New Intermediate Care Facilities for the Developmentally Disabled
 350.TABLE C Construction Types and Sprinkler Requirements for Existing Intermediate Care Facilities for the Developmentally Disabled
 350.TABLE D Food Service Sanitation Rules and Regulations, 77 Ill. Adm. Code 750, 1983
 Applicable for New Intermediate Care Facilities for the Developmentally Disabled at Sixteen (16) Beds or Less
 350.TABLE E Construction Types and Sprinkler Requirements for New Intermediate Care Facilities for the Developmentally Disabled of Sixteen (16) Beds or Less
 350.TABLE F Disaster Preparedness Parameters - Relative Humidity and Temperature.

AUTHORITY: Implementing and authorized by the Nursing Home Care Act (Ill. Rev. Stat. 1991, ch. 111 1/2, par. 4151-101 et seq.) [210 ILCS 45/1-101 et seq. (1992)].

SOURCE: Emergency rules adopted at 4 Ill. Reg. 10, p. 495, effective March 1, 1980, for a maximum of 150 days; amended at 4 Ill. Reg. 30, p. 1, effective July 28, 1980; amended at 5 Ill. Reg.

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1657, effective February 4, 1981; amended at 6 Ill. Reg. 5981, effective May 3, 1982; amended at 6 Ill. Reg. 6453, effective May 14, 1982; amended at 6 Ill. Reg. 8198, effective June 29, 1982; amended at 6 Ill. Reg. 14544, effective November 8, 1982; amended at 6 Ill. Reg. 14675, effective November 15, 1982; amended at 6 Ill. Reg. 15556, effective December 15, 1982; amended at 7 Ill. Reg. 278, effective December 22, 1982; amended at 7 Ill. Reg. 1919 and 1945, effective January 28, 1983; amended at 7 Ill. Reg. 7963, effective July 1, 1983; amended at 7 Ill. Reg. 15817, effective November 15, 1983; amended at 7 Ill. Reg. 16984, effective December 14, 1983; amended at 8 Ill. Reg. 15574 and 15578 and 15581, effective August 15, 1984; amended at 8 Ill. Reg. 15935, effective August 17, 1984; amended at 8 Ill. Reg. 16980, effective September 5, 1984; codified at 8 Ill. Reg. 19806; amended at 8 Ill. Reg. 24214, effective November 29, 1984; amended at 8 Ill. Reg. 24680, effective December 7, 1984; amended at 9 Ill. Reg. 142, effective December 26, 1984; amended at 9 Ill. Reg. 331, effective December 28, 1984; amended at 9 Ill. Reg. 2964, effective February 25, 1985; amended at 9 Ill. Reg. 10876, effective July 1, 1985; amended at 11 Ill. Reg. 14795, effective October 1, 1987; amended at 11 Ill. Reg. 16830, effective October 1, 1987; amended at 12 Ill. Reg. 979, effective December 24, 1987; amended at 12 Ill. Reg. 16838, effective October 1, 1988; emergency amendment at 12 Ill. Reg. 18705, effective October 24, 1988, for a maximum of 150 days; emergency expired March 23, 1989; amended at 13 Ill. Reg. 6040, effective April 17, 1989; amended at 13 Ill. Reg. 19451, effective December 1, 1989; amended at 14 Ill. Reg. 14876, effective October 1, 1990; amended at 15 Ill. Reg. 466, effective January 1, 1991; amended at 16 Ill. Reg. 594, effective January 1, 1992; amended at 16 Ill. Reg. 13910, effective September 1, 1992; emergency amendment at 17 Ill. Reg. 2373, effective February 3, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 2351, effective February 10, 1993; amended at 17 Ill. Reg. _____, effective _____.

NOTE: Italics and capitalization denote statutory language.

Section 350.260

Issuance of Conditional Licenses

- a) THE DIRECTOR MAY ISSUE A CONDITIONAL LICENSE UNDER SECTION 3-305 of the Act TO ANY FACILITY IF THE DIRECTOR FINDS THAT EITHER A TYPE "A" OR TYPE "B" VIOLATION EXISTS IN SUCH FACILITY. THE ISSUANCE OF A CONDITIONAL LICENSE SHALL REVOKE ANY LICENSE HELD BY THE FACILITY. (Section 3-311 of the Act)
- b) PRIOR TO THE ISSUANCE OF A CONDITIONAL LICENSE, THE DEPARTMENT SHALL REVIEW AND APPROVE A WRITTEN PLAN OF CORRECTION. THE DEPARTMENT SHALL SPECIFY THE VIOLATIONS WHICH PREVENT FULL LICENSURE AND SHALL ESTABLISH A TIME SCHEDULE FOR CORRECTION OF THE DEFICIENCIES. RETENTION OF THE LICENSE SHALL BE CONDITIONAL UPON THE TIMELY CORRECTION OF THE DEFICIENCIES IN ACCORDANCE WITH THE PLAN OF CORRECTION. (Section 3-312 of the Act)

- c) WRITTEN NOTICE OF THE DECISION TO ISSUE A CONDITIONAL LICENSE

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SHALL BE SENT TO THE APPLICANT OR LICENSEE TOGETHER WITH THE SPECIFICATION OF ALL VIOLATIONS OF THE ACT AND THIS PART OF THE Act and this Part WHICH PREVENT FULL LICENSURE AND WHICH FORM THE BASIS FOR THE DEPARTMENT'S DECISION TO ISSUE A CONDITIONAL LICENSE AND THE REQUIRED PLAN OF CORRECTION. THE NOTICE SHALL INFORM THE APPLICANT OR LICENSEE OF ITS RIGHT TO A FULL HEARING UNDER SECTION 3-315 OF THE ACT OF THE ACT TO CONTEST THE ISSUANCE OF THE CONDITIONAL LICENSE. (Section 3-313 of the Act)

d)

IF THE APPLICANT OR LICENSEE DESIRES TO PROTEST/CONTEST THE BASIS FOR ISSUANCE OF A CONDITIONAL LICENSE, OR THE TERMS OF THE LICENSE OR THE PLAN OF CORRECTION, THE APPLICANT OR LICENSEE SHALL SEND A WRITTEN REQUEST FOR HEARING TO THE DEPARTMENT WITHIN TEN DAYS AFTER RECEIPT BY THE APPLICANT OR LICENSEE OF THE DEPARTMENT'S NOTICE AND DECISION TO ISSUE A CONDITIONAL LICENSE. THE DEPARTMENT SHALL HOLD THE HEARING AS PROVIDED UNDER THE ACT SECTION 3-703 of the Act. The terms of the conditional license shall be stayed pending the issuance of the Final Order at the conclusion of the hearing, and the facility may operate in the same manner as with an unrestricted license. (Section 3-315 of the Act)

e)

A CONDITIONAL LICENSE SHALL BE ISSUED FOR A PERIOD SPECIFIED BY THE DEPARTMENT, BUT IN NO EVENT FOR MORE THAN ONE YEAR. The effective date of the conditional license shall not begin until such time as the applicant or licensee has had the opportunity to request a hearing pursuant to subsection (d), and if a hearing is requested in a timely manner, then the terms of the conditional license shall be stayed as provided for in subsection (d) of this Section. THE DEPARTMENT SHALL PERIODICALLY INSPECT ANY FACILITY OPERATING UNDER A CONDITIONAL LICENSE. IF THE DEPARTMENT FINDS SUBSTANTIAL FAILURE BY THE FACILITY TO TIMELY CORRECT THE VIOLATIONS WHICH PREVENTED FULL LICENSURE AND FORMED THE BASIS FOR THE DEPARTMENT'S DECISION TO ISSUE A CONDITIONAL LICENSE IN ACCORDANCE WITH THE REQUIRED PLAN OF CORRECTION, THE CONDITIONAL LICENSE MAY BE REVOKED AS PROVIDED UNDER THE ACT SECTION 3-119 of the Act. (Section 3-316 of the Act)

(Source: Amended at 17 Ill. Reg. _____, effective _____)

Section 350.271

Presentation of Findings

a)

If it is probable that findings will be presented that could be issued as violations of regulations which represent a direct threat to the health, safety or welfare of residents,

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surveyors shall notify the administrator or designee during the course of the survey of such possible findings.

surveyors at the conclusion of the exit conference. Video-taped recordings shall not be allowed.

b) The Department shall conduct an exit conference with the administrator or other facility designee at the conclusion of each on-site inspection at the facility, whether or not the investigation has been completed. If the investigation has been completed, findings shall be presented during the exit conference. If the investigation has not been completed at the time of the facility exit, the Department shall inform the facility administrator or designee that the investigation is not complete and that findings may be presented to the facility at a later date. Presentation of any additional findings may be conducted at the facility, at the Department's regional office, or by telephone.

i) Surveyors shall not conduct an exit conference for the following reasons:

- 1) The facility administrator or designee requests that an exit conference not be held;
- 2) During a scheduled exit conference, facility staff and/or their guests create an environment that is not conducive to a meaningful exchange of information.

(Source: Added at 17 Ill. Reg. _____, effective _____)

Section 350.278 Plans of Correction

e) With the assistance of the administrator, surveyors shall schedule a time and place for the exit conference to be held at the conclusion of the survey.

d) At the exit conference, surveyors shall present their findings and resident identity key and identify regulations related to the findings. The facility administrator or designee shall have an opportunity at the exit conference to discuss and provide additional documentation related to the findings. The Department's surveyors conducting the exit conference may, in their discretion, modify or eliminate any or all preliminary findings in accordance with any facts presented by the facility to the Department during the exit conference.

a) A FACILITY SHALL HAVE TEN DAYS AFTER RECEIPT OF A NOTICE OF VIOLATION ~~FOR A LEVEL B VIOLATION~~ for a Type B violation, or after receipt of a notice under Section 350.277(d) of failure to correct a situation, condition, or practice which resulted in the issuance of an administrative warning, TO PREPARE AND SUBMIT A PLAN OF CORRECTION to the Department. (Section 3-303(b) of the Act)

e) Additional comments or documentation may be submitted by the facility to the Department during a 10-day comment period as allowed by the Act.

b) Within the ten-day period, a facility may request additional time for submission of the plan of correction. The Department will extend the period for submission of the plan of correction for an additional 30 days, when it finds that corrective action by a facility to abate or eliminate the violation will require SUBSTANTIAL CAPITAL IMPROVEMENT. The Department will consider the extent and complexity of necessary physical plant repairs and improvements and any impact on the health, safety, or welfare of the residents of the facility in determining whether to grant a requested extension. (Section 3-303(b) of the Act)

f) If the Department determines, after review of the comments submitted pursuant to subsection (d), that the facility may have committed violations of the Act or this Part different than or in addition to those presented at the exit conference and the violations may be cited as either Type A or repeat Type B violations, the Department shall so inform the facility in writing. The facility shall then have an opportunity to submit additional comments addressing the different or additional sections of the Act or this Part. The surveyors will be advised of any code changes made after their recommendations are submitted.

c) Each plan of correction shall be based on an assessment by the facility of the conditions or occurrences which are the basis of the violation and an evaluation of the practices, policies, and procedures which have caused or contributed to the conditions or occurrences. Evidence of such assessment and evaluation shall be maintained by the facility. Each plan of correction shall include:

g) The facility shall have 5 (five) working days from receipt of the notice required by subsection (f) of this Section to submit its additional comments to the Department. The Department shall consider such additional comments in determining the existence and level of violation of the Act and/or this Part in the same manner as the Department considers the facility's original comments.

1) A description of the specific corrective action the facility is taking, or plans to take, to abate, eliminate, or correct the violation cited in the notice.

h) If desired by the facility, an audio-taped recording may be made of the exit conference provided that a copy of such recording be provided, at facility expense, to the

2) A description of the steps which will be taken to avoid future occurrences of the same and similar violations.

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- 3) A specific date by which the corrective action will be completed.
- d) Submission of a plan of correction shall not be considered an admission by the facility that the violation has occurred.
- e) The Department shall review each plan of correction to insure that it provides for the abatement, elimination, or correction of the violation. The Department shall reject a submitted plan only if it finds any of the following deficiencies:
- 1) The plan does not appear to address the conditions or occurrences which are the basis of the violation and an evaluation of the practices, policies, and procedures which have caused or contributed to the conditions or occurrences.
 - 2) The plan is not specific enough to indicate the actual actions the facility will be taking to abate, eliminate, or correct the violation.
 - 3) The plan does not provide for measures which will abate or eliminate, or correct the violation.
 - 4) The plan does not provide steps which will avoid future occurrences of the same and similar violations.
 - 5) The plan does not provide for timely completion of the corrective action, considering the seriousness of the violation, any possible harm to the residents, and the extent and complexity of the corrective action.
- f) When the Department rejects a submitted plan of correction, it shall notify the facility. The notice of rejection shall be in writing and shall specify the REASON FOR THE REJECTION. THE FACILITY SHALL HAVE TEN DAYS AFTER RECEIPT OF THE NOTICE OF REJECTION IN WHICH TO SUBMIT A MODIFIED PLAN. (Section 3-303(b) of the Act)
- g) If a facility fails to submit a plan or modified plan meeting the criteria in subsection (c) within the prescribed time periods in subsection (a) or subsection (d), or anytime the Department issues a Type A or repeat B violation, AN APPROVED PLAN OF CORRECTION WILL BE IMPOSED BY THE DEPARTMENT. (Section 3-303(b) of the Act) an approved plan of correction will be imposed by the Department.
- h) The Department shall verify the completion of the correction action required by the plan of correction within the specified time period during subsequent investigations, surveys and evaluations of the facility.

(Source: Amended at 17 Ill. Reg. _____, effective _____)

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- Section 350.290 Quarterly List of Violators
- a) THE DEPARTMENT SHALL PREPARE ON A QUARTERLY BASIS A LIST CONTAINING THE NAMES AND ADDRESSES OF ALL FACILITIES AGAINST WHICH THE DEPARTMENT DURING THE PREVIOUS QUARTER HAS:
- 1) Issued a NOTICE OF PENALTY ASSESSMENT for a level A violation as provided in Section 350.286 of this Part and Section 3-305(1) of the Act.
 - 2) Issued a NOTICE OF REVOCATION of the facility's license as provided in Section 350.180 of this Part and Section 3-119 of the Act.
 - 3) Issued a NOTICE REFUSING RENEWAL of the facility's license as provided in Section 350.175 of this Part and Section 3-119 of the Act.
 - 4) Issued a NOTICE TO SUSPEND the facility's license as provided in Section 3-119 of the Act.
 - 5) ISSUED A CONDITIONAL LICENSE to the facility based on violations which were not corrected as provided in Section 350.260 of this Part and Section 3-313 of the Act, except where the terms of the conditional license have been stayed pursuant to Section 350.260(d).
 - 6) PLACED A MONITOR ~~IN THE FACILITY~~ in the facility as provided in Section 350.270 of this Part and Section 3-501 of the Act for one of the following reasons:
 - A) The facility is operating without a license.
 - B) The Department has revoked or refused to renew the license of the facility.
 - C) The facility is closing or has informed the Department that it intends to close and adequate arrangements for relocation of residents have not been made at least 30 days prior to closure.
 - D) The Department determines that an emergency exists and HAS ISSUED A NOTICE OF REVOCATION OR NONRENEWAL against the facility's license.
 - 7) INITIATED AN ACTION TO APPOINT A RECEIVER.
 - 8) RECOMMENDED TO THE DIRECTOR OF THE DEPARTMENT OF

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PUBLIC AID, OR THE SECRETARY OF THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, THE DECERTIFICATION FOR VIOLATIONS IN RELATION TO PATIENT CARE OF A FACILITY PURSUANT TO TITLES XVIII AND XIX OF THE FEDERAL SOCIAL SECURITY ACT (42 U.S.C. 1395 et seq. and 1396 et seq.). (Section 3-304(a) of the Act)

- b) IN ADDITION TO THE NAME AND ADDRESS OF THE FACILITY, THE LIST SHALL INCLUDE THE NAME AND ADDRESS OF THE PERSON OR LICENSEE AGAINST WHOM THE ACTION HAS BEEN INITIATED, A SELF-EXPLANATORY SUMMARY OF THE FACTS WHICH WARRANTED THE INITIATION OF EACH ACTION, THE TYPE OF ACTION INITIATED, THE DATE OF THE INITIATION OF THE ACTION, THE AMOUNT OF THE PENALTY SOUGHT TO BE ASSESSED, IF ANY, AND THE FINAL DISPOSITION OF THE ACTION, IF COMPLETED. (Section 3-304(b) of the Act)

(Source: Amended at 17 Ill. Reg. _____, effective _____)

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- 1) Heading of the Part:

Long-Term Care for Under Age 22 Facilities Code

- 2) Code Citation:

77 Ill. Adm. Code 390

- 3) Section Numbers:

390.260
390.271
390.278
390.290

Proposed Action:

Amendments
New Section
Amendments
Amendments

- 4) Statutory Authority:

Nursing Home Care Act
Ill. Rev. Stat. 1991, ch. 111 1/2, par. 4151-101 et seq.
[210 ILCS 45/1-101 et seq.(1992)]

- 5) A Complete Description of the Subjects and Issues Involved:

Section 390.260 - Subsection (d) of this Section is being amended to state that the terms of a conditional license shall be stayed pending the issuance of the Final Order at the conclusion of the hearing and that the facility may operate in the same manner as with an unrestricted license. In addition, subsection (c) is amended to state that the effective date of the conditional license shall be stayed.

Section 390.271 - This is a new Section concerning the presentation of findings at the conclusion of a survey. The rule will require the Department to conduct an exit conference at the conclusion of each on-site inspection, whether or not the investigation is completed. If the investigation has been completed, findings will be presented during the exit conference. The rule also provides a procedure for the submission of additional comments to the Department by the facility.

Section 390.278 - Subsection (g) is being amended to state that an approved plan of correction will be imposed by the Department anytime the Department issues a Type A or Repeat B violation.

Section 390.290 - Subsection (a)(5) is being amended to state that a facility will not be included on the Quarterly List of Violators if the terms of a conditional license issued to the facility have been stayed pursuant to Section 390.260(d).

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The Department has adopted identical emergency amendments in accordance with the emergency rulemaking requirements of the Illinois Administrative Procedure Act. The emergency rules became effective on February 3, 1993. These proposed amendments were considered by the Long-Term Care Facility Advisory Board at its February 9, 1993 meeting, as required by Section 2-204 of the Nursing Home Care Act.

The economic effect of this proposed rulemaking is unknown. Therefore, the Department requests any information that would assist in calculating this effect.

The Department anticipates adoption of this rulemaking approximately six to nine months after the publication of the notice in the Illinois Register.

6) Will this Rulemaking Replace an Emergency Rule Currently in Effect?

Yes X No

7) Does this Rulemaking Contain an Automatic Repeal Date? Yes No X

If "yes," please specify the date:

8) Does this Rulemaking Contain Any Incorporations By Reference?

Yes No X

If "yes," please specify type: 6.02(a) or 6.02(b)

9) Are there any other Proposed Amendments Pending on this Part?

Yes X No

If Yes:

Section Numbers	Proposed Action	Ill. Reg. Citation
390.1025	New Section	16 Ill. Reg. 16520
390.640	Amendments	16 Ill. Reg. 17515
390.175	Amendments	17 Ill. Reg. 1296
390.180	Amendments	17 Ill. Reg. 1296
390.270	Amendments	17 Ill. Reg. 1296
390.640	Amendments	17 Ill. Reg. 1296
390.680	Amendments	17 Ill. Reg. 1296
390.685	Amendments	17 Ill. Reg. 1296
390.3210	Amendments	17 Ill. Reg. 1296

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390.3330 Amendments 17 Ill. Reg. 1296

10) Statement of Statewide Policy Objectives:

This rulemaking does not create or expand a State Mandate.

11) Time, Place, and Manner in which Interested Persons May Comment on this Rulemaking:

Interested persons may present their comments concerning these rules by writing to Gail M. DeVito, Division of Governmental Affairs, Illinois Department of Public Health, 535 West Jefferson, Fifth Floor, Springfield, Illinois 62761 within 45 days after this issue of the Illinois Register.

These rules may have an impact on small businesses. In accordance with Sections 1-75 and 5-30 of the Illinois Administrative Procedure Act, any small business may present their comments in writing to Gail M. DeVito at the above address.

Any small business (as defined in Section 1-75 of the Illinois Administrative Procedure Act) commenting on these rules shall indicate their status as such, in writing, in their comments.

12) Initial Regulatory Flexibility Analysis:

A) Date Rulemaking was Submitted to the Business Assistance Office of the Department of Commerce and Community Affairs:

B) Type of Small Businesses Affected:

long-term care facilities for persons under age 22

C) Reporting, Bookkeeping or Other Procedures Required for Compliance:

None

D) Types of Professional Skills Necessary for Compliance:

None

The full text of the Proposed Amendments begins on the next page:

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NOTICE OF PROPOSED AMENDMENTS

TITLE 77: PUBLIC HEALTH

CHAPTER I: DEPARTMENT OF PUBLIC HEALTH

SUBCHAPTER c: LONG-TERM CARE FACILITIES

PART 390

LONG-TERM CARE FOR UNDER AGE 22 FACILITIES CODE

SUBPART A: GENERAL PROVISIONS

Section	
390.110	General Requirements
390.120	Application for License
390.130	Licensee
390.140	Issuance of an Initial License for a New Facility
390.150	Issuance of an Initial License Due to a Change of Ownership
390.160	Issuance of a Renewal License
390.165	Criteria for Adverse Licensure Actions
390.170	Denial of Initial License
390.175	Denial of Renewal of License
390.180	Revocation of License
390.190	Experimental Program Conflicting With Requirements
390.200	Inspections, Surveys, Evaluations and Consultation
390.210	Filing an Annual Attested Financial Statement
390.220	Information to be Made Available to the Public by the Department
390.230	Information to Be Made Available to the Public By the Licensee
390.240	Municipal Licensing
390.250	Ownership Disclosure
390.260	Issuance of Conditional Licenses
390.270	Monitor and Receivership
390.271	Presentation of Findings
390.272	Determination to Issue a Notice of Violation or Administrative Warning
390.274	Determination of the Level of a Violation
390.276	Notice of Violation
390.277	Administrative Warning
390.278	Plans of Correction
390.280	Reports of Correction
390.282	Conditions for Assessment of Penalties
390.284	Calculation of Penalties
390.286	Determination to Assess Penalties
390.288	Reduction or Waiver of Penalties
390.290	Quarterly List of Violators
390.300	Alcoholism Treatment Programs in Long-Term Care Facilities
390.310	Department May Survey Facilities Formerly Licensed

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Waivers

Definitions

Incorporated and Referenced Materials

390.320

390.330

390.340

SUBPART B: ADMINISTRATION

Administrator

390.500

SUBPART C: POLICIES

Management Policies

Resident Care Policies

Admission and Discharge Policies

Contract Between Resident and Facility

Residents' Advisory Council

General Policies

Personnel Policies

Initial Health Evaluation for Employees

Child Care/Habilitation Aides

Student Interns

Disaster Preparedness

Serious Incidents and Accidents

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390.620

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390.660

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SUBPART D: PERSONNEL

General

Categories of Personnel

Consultation Services

390.810

390.820

390.830

SUBPART E: HEALTH AND DEVELOPMENTAL SERVICES

Service Programs

Medical Services

Physician Services

Tuberculin Skin Test Procedures

Nursing Services

Dental Care Services

Physical and Occupational Therapy Services

Psychological Services

Social Services

Speech Pathology and Audiology Services

Recreational and Activity Services

Educational Services

390.1010

390.1020

390.1030

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390.1050

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390.1120	Work Activity and Prevocational Training Services
	SUBPART F: RESTRAINTS AND SAFETY DEVICES, BEHAVIOR MANAGEMENT, AND BEHAVIOR EMERGENCIES
390.1310	Restraints and Safety Devices
390.1320	Behavior Management
390.1330	Behavior Emergencies
	SUBPART G: MEDICATIONS
390.1410	Medication Policies and Procedures
390.1420	Conformance with Physician's Orders
390.1430	Administration of Medication
390.1440	Labeling and Storage of Medications
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	SUBPART H: RESIDENT AND FACILITY RECORDS
390.1610	Resident Record Requirements
390.1620	Content of Medical Records
390.1630	Confidentiality of Resident's Records
390.1640	Records Pertaining to Residents' Property
390.1650	Retention and Transfer of Resident Records
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390.1670	Staff Responsibility for Medical Records
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	SUBPART I: FOOD SERVICE
390.1810	Director of Food Services
390.1820	Dietary Staff in Addition to Director of Food Services
390.1830	Hygiene of Dietary Staff
390.1840	Diet Orders
390.1850	Adequacy of Diet and Meal Pattern
390.1860	Infant and Therapeutic Diets
390.1870	Scheduling Meals
390.1880	Menu Planning
390.1890	Food Preparation and Service
390.1900	Preparation of Infant Formula
390.1910	Food Handling Sanitation
390.1920	Kitchen Equipment, Utensils, and Supplies

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	SUBPART J: MAINTENANCE, HOUSEKEEPING, AND LAUNDRY
390.2010	Maintenance
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	SUBPART K: FURNISHINGS, EQUIPMENT, AND SUPPLIES
390.2210	Furnishings
390.2220	Equipment and Supplies
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	SUBPART L: WATER SUPPLY AND SEWAGE DISPOSAL
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390.2420	Water Supply
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390.2610	Applicability of these Standards
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390.2640	Site
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390.2680	Therapy and Personal Care
390.2690	Service Departments
390.2700	General Building Requirements
390.2710	Structural
390.2720	Mechanical Systems
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	SUBPART N: DESIGN AND CONSTRUCTION STANDARDS FOR EXISTING FACILITIES
390.2910	Applicability
390.2920	Codes and Standards
390.2930	Preparation of Drawings and Specifications
390.2940	Site
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390.2960 Nursing Unit
 390.2970 Play, Dining, Activity/Program Rooms
 390.2980 Treatment and Personal Care
 390.2990 Service Department
 390.3000 General Building Requirements
 390.3010 Structural
 390.3020 Mechanical Systems
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SUBPART O: RESIDENT'S RIGHTS

390.3210 General
 390.3220 Medical and Personal Care Program
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SUBPART P: DAY CARE PROGRAMS

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 390. TABLE E Sprinkler Requirements
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AUTHORITY: Implementing and authorized by the Nursing Home Care Act (Ill. Rev. Stat. 1991, ch.

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111 1/2, par. 4151-101 et seq.) [210 ILCS 45/1-101 et seq. (1992)].

SOURCE: Adopted at 6 Ill. Reg. 1658, effective February 1, 1982; emergency amendment at 6 Ill. Reg. 3223, effective March 8, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 11622, effective September 14, 1982; amended at 6 Ill. Reg. 14557 and 14560, effective November 8, 1982; amended at 6 Ill. Reg. 14678, effective November 15, 1982; amended at 7 Ill. Reg. 282, effective December 22, 1982; amended at 7 Ill. Reg. 1927, effective January 28, 1983; amended at 7 Ill. Reg. 8574, effective July 11, 1983; amended at 7 Ill. Reg. 15821, effective November 15, 1983; amended at 7 Ill. Reg. 16988, effective December 14, 1983; amended at 8 Ill. Reg. 15885, 15589, and 15592, effective August 15, 1984; amended at 8 Ill. Reg. 16989, effective September 5, 1984; codified at 8 Ill. Reg. 19823; amended at 8 Ill. Reg. 24159, effective November 29, 1984; amended at 8 Ill. Reg. 24656, effective December 7, 1984; amended at 8 Ill. Reg. 25083, effective December 14, 1984; amended at 9 Ill. Reg. 122, effective December 26, 1984; amended at 9 Ill. Reg. 10785, effective July 1, 1985; amended at 11 Ill. Reg. 16782, effective October 1, 1987; amended at 12 Ill. Reg. 931, effective December 24, 1987; amended at 12 Ill. Reg. 16780, effective October 1, 1988; emergency amendment at 12 Ill. Reg. 18243, effective October 24, 1988, for a maximum of 150 days; emergency expired March 23, 1989; amended at 13 Ill. Reg. 6301, effective April 17, 1989; amended at 13 Ill. Reg. 19521, effective December 1, 1989; amended at 14 Ill. Reg. 14904, effective October 1, 1990; amended at 15 Ill. Reg. 1878, effective January 25, 1991; amended at 16 Ill. Reg. 623, effective January 1, 1992; amended at 16 Ill. Reg. 14329, effective September 3, 1992; emergency amendment at 17 Ill. Reg. 2390, effective February 3, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. _____, effective _____.

NOTE: Italics and capitalization denote statutory language.

Section 390.260 Issuance of Conditional Licenses

- a) THE DIRECTOR MAY ISSUE A CONDITIONAL LICENSE UNDER SECTION 3-305 of the Act TO ANY FACILITY IF THE DIRECTOR FINDS THAT EITHER A TYPE "A" OR TYPE "B" VIOLATION EXISTS IN SUCH FACILITY. THE ISSUANCE OF A CONDITIONAL LICENSE SHALL REVOKE ANY LICENSE HELD BY THE FACILITY. (Section 3-311 of the Act)
- b) PRIOR TO THE ISSUANCE OF A CONDITIONAL LICENSE, THE DEPARTMENT SHALL REVIEW AND APPROVE A WRITTEN PLAN OF CORRECTION. THE DEPARTMENT SHALL SPECIFY THE VIOLATIONS WHICH PREVENT FULL LICENSURE AND SHALL ESTABLISH A TIME SCHEDULE FOR CORRECTION OF THE DEFICIENCIES. RETENTION OF THE LICENSE SHALL BE CONDITIONAL UPON THE TIMELY CORRECTION OF THE DEFICIENCIES IN ACCORDANCE WITH THE PLAN OF CORRECTION. (Section 3-312 of the Act)
- c) WRITTEN NOTICE OF THE DECISION TO ISSUE A CONDITIONAL LICENSE

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SHALL BE SENT TO THE APPLICANT OR LICENSEE TOGETHER WITH THE SPECIFICATION OF ALL VIOLATIONS OF THE ACT AND THE RULES PROMULGATED THEREUNDER the Act and this Part WHICH PREVENT FULL LICENSURE AND WHICH FORM THE BASIS FOR THE DEPARTMENT'S DECISION TO ISSUE A CONDITIONAL LICENSE AND THE REQUIRED PLAN OF CORRECTION. THE NOTICE SHALL INFORM THE APPLICANT OR LICENSEE OF ITS RIGHT TO A FULL HEARING UNDER SECTION 3-315 OF THE ACT OF THE ACT TO CONTEST THE ISSUANCE OF THE CONDITIONAL LICENSE. (Section 3-313 of the Act)

d) IF THE APPLICANT OR LICENSEE DESIRES TO PROTEST CONTEST THE BASIS FOR ISSUANCE OF A CONDITIONAL LICENSE, OR THE TERMS OF THE PLAN OF CORRECTION, THE APPLICANT OR LICENSEE SHALL SEND A WRITTEN REQUEST FOR HEARING TO THE DEPARTMENT WITHIN TEN DAYS AFTER RECEIPT BY THE APPLICANT OR LICENSEE OF THE DEPARTMENT'S NOTICE AND DECISION TO ISSUE A CONDITIONAL LICENSE. THE DEPARTMENT SHALL HOLD THE HEARING AS PROVIDED UNDER THE ACT SECTION 3-703 of the Act. The terms of the conditional license shall be stayed pending the issuance of the Final Order at the conclusion of the hearing, and the facility may operate in the same manner as with an unrestricted license. (Section 3-315 of the Act)

c) A CONDITIONAL LICENSE SHALL BE ISSUED FOR A PERIOD SPECIFIED BY THE DEPARTMENT, BUT IN NO EVENT FOR MORE THAN ONE YEAR. The effective date of the conditional license shall not begin until such time as the applicant or licensee has had the opportunity to request a hearing pursuant to subsection (d), and if a hearing is requested in a timely manner, then the terms of the conditional license shall be stayed as provided for in subsection (d) of this Section. THE DEPARTMENT SHALL PERIODICALLY INSPECT ANY FACILITY OPERATING UNDER A CONDITIONAL LICENSE. IF THE DEPARTMENT FINDS SUBSTANTIAL FAILURE BY THE FACILITY TO TIMELY CORRECT THE VIOLATIONS WHICH PREVENTED FULL LICENSURE AND FORMED THE BASIS FOR THE DEPARTMENT'S DECISION TO ISSUE A CONDITIONAL LICENSE IN ACCORDANCE WITH THE REQUIRED PLAN OF CORRECTION, THE CONDITIONAL LICENSE MAY BE REVOKED AS PROVIDED UNDER THE ACT SECTION 3-119 of the Act. (Section 3-316 of the Act)

(Source: Amended at 17 Ill. Reg. _____, effective _____)

Section 390.271
Presentation of Findings

a) If it is probable that findings will be presented that could be issued as violations of

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regulations which represent a direct threat to the health, safety or welfare of residents, surveyors shall notify the administrator or designee during the course of the survey of such possible findings.

b) The Department shall conduct an exit conference with the administrator or other facility designee at the conclusion of each on-site inspection at the facility, whether or not the investigation has been completed. If the investigation has been completed, findings shall be presented during the exit conference. If the investigation has not been completed at the time of the facility exit, the Department shall inform the facility administrator or designee that the investigation is not complete and that findings may be presented to the facility at a later date. Presentation of any additional findings may be conducted at the facility, at the Department's regional office, or by telephone.

c) With the assistance of the administrator, surveyors shall schedule a time and place for the exit conference to be held at the conclusion of the survey.

d) At the exit conference, surveyors shall present their findings and resident identity key and identify regulations related to the findings. The facility administrator or designee shall have an opportunity at the exit conference to discuss and provide additional documentation related to the findings. The Department's surveyors conducting the exit conference may, in their discretion, modify or eliminate any or all preliminary findings in accordance with any facts presented by the facility to the Department during the exit conference.

e) Additional comments or documentation may be submitted by the facility to the Department during a 10-day comment period as allowed by the Act.

f) If the Department determines, after review of the comments submitted pursuant to subsection (d), that the facility may have committed violations of the Act or this Part different than or in addition to those presented at the exit conference and the violations may be cited as either Type A or repeat Type B violations, the Department shall so inform the facility in writing. The facility shall then have an opportunity to submit additional comments addressing the different or additional sections of the Act or this Part. The surveyors will be advised of any code changes made after their recommendations are submitted.

g) The facility shall have 5 (five) working days from receipt of the notice required by subsection (f) of this Section to submit its additional comments to the Department. The Department shall consider such additional comments in determining the existence and level of violation of the Act and/or this Part in the same manner as the Department considers the facility's original comments.

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h) If desired by the facility, an audio-taped recording may be made of the exit conference provided that a copy of such recording be provided, at facility expense, to the survivors at the conclusion of the exit conference. Video-taped recordings shall not be allowed.

i) Survivors shall not conduct an exit conference for the following reasons:

- 1) The facility administrator or designee requests that an exit conference not be held;
- 2) During a scheduled exit conference, facility staff and/or their guests create an environment that is not conducive to a meaningful exchange of information.

(Source: Added at 17 Ill. Reg. _____, effective _____)

Section 390.278 Plans of Correction

a) A FACILITY SHALL HAVE TEN DAYS AFTER RECEIPT OF A NOTICE OF VIOLATION ~~FOR A LEVEL B VIOLATION~~ for a Type B violation, or after receipt of a notice under Section 390.277(d) of failure to correct a situation, condition, or practice which resulted in the issuance of an administrative warning, TO PREPARE AND SUBMIT A PLAN OF CORRECTION to the Department. (Section 3-303(b) of the Act)

b) Within the ten-day period, a facility may request additional time for submission of the plan of correction. The Department will extend the period for submission of the plan of correction for an additional 30 days, when it finds that corrective action by a facility to abate or eliminate the violation will require SUBSTANTIAL CAPITAL IMPROVEMENT. The Department will consider the extent and complexity of necessary physical plant repairs and improvements and any impact on the health, safety, or welfare of the residents of the facility in determining whether to grant a requested extension. (Section 3-303(b) of the Act)

c) Each plan of correction shall be based on an assessment by the facility of the conditions or occurrences which are the basis of the violation and an evaluation of the practices, policies, and procedures which have caused or contributed to the conditions or occurrences. Evidence of such assessment and evaluation shall be maintained by the facility. Each plan of correction shall include:

- 1) A description of the specific corrective action the facility is taking, or plans to take, to abate, eliminate, or correct the violation cited in the notice.

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2) A description of the steps which will be taken to avoid future occurrences of the same and similar violations.

3) A specific date by which the corrective action will be completed.

d) Submission of a plan of correction shall not be considered an admission by the facility that the violation has occurred.

e) The Department shall review each plan of correction to insure that it provides for the abatement, elimination, or correction of the violation. The Department shall reject a submitted plan only if it finds any of the following deficiencies:

1) The plan does not appear to address the conditions or occurrences which are the basis of the violation and an evaluation of the practices, policies, and procedures which have caused or contributed to the conditions or occurrences.

2) The plan is not specific enough to indicate the actual actions the facility will be taking to abate, eliminate, or correct the violation.

3) The plan does not provide for measures which will abate or eliminate, or correct the violation.

4) The plan does not provide steps which will avoid future occurrences of the same and similar violations.

5) The plan does not provide for timely completion of the corrective action, considering the seriousness of the violation, any possible harm to the residents, and the extent and complexity of the corrective action.

f) When the Department rejects a submitted plan of correction, it shall notify the facility. The notice of rejection shall be in writing and shall specify the REASON FOR THE REJECTION. THE FACILITY SHALL HAVE TEN DAYS AFTER RECEIPT OF THE NOTICE OF REJECTION IN WHICH TO SUBMIT A MODIFIED PLAN. (Section 3-303(b) of the Act)

g) If a facility fails to submit a plan or modified plan meeting the criteria in subsection (c) within the prescribed time periods in subsection (a) or subsection (d), or anytime the Department issues a Type A or repeat B violation, ~~AN APPROVED PLAN OF CORRECTION WILL BE IMPOSED BY THE DEPARTMENT. (Section 3-303(b) of the Act)~~ an approved plan of correction will be imposed by the Department.

h) The Department shall verify the completion of the correction action required by the

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plan of correction within the specified time period during subsequent investigations, surveys and evaluations of the facility.

(Source: Amended at 17 Ill. Reg. _____, effective _____)

Section 390.290 Quarterly List of Violators

a) THE DEPARTMENT SHALL PREPARE ON A QUARTERLY BASIS A LIST CONTAINING THE NAMES AND ADDRESSES OF ALL FACILITIES AGAINST WHICH THE DEPARTMENT DURING THE PREVIOUS QUARTER HAS:

- 1) Issued a NOTICE OF PENALTY ASSESSMENT for a level A violation as provided in Section 390.286 of this Part and Section 3-305(1) of the Act.
- 2) Issued a NOTICE OF REVOCATION of the facility's license as provided in Section 390.180 of this Part and Section 3-119 of the Act.
- 3) Issued a NOTICE REFUSING RENEWAL of the facility's license as provided in Section 390.175 of this Part and Section 3-119 of the Act.
- 4) Issued a NOTICE TO SUSPEND the facility's license as provided in Section 3-119 of the Act.

5) ISSUED A CONDITIONAL LICENSE to the facility based on violations which were not corrected as provided in Section 390.260 of this Part and Section 3-313 of the Act, except where the terms of the conditional license have been stayed pursuant to Section 390.260(d).

6) PLACED A MONITOR ~~IN THE FACILITY~~ in the facility as provided in Section 390.270 of this Part and Section 3-501 of the Act for one of the following reasons:

- A) The facility is operating without a license.
- B) The Department has revoked or refused to renew the license of the facility.
- C) The facility is closing or has informed the Department that it intends to close and adequate arrangements for relocation of residents have not been made at least 30 days prior to closure.

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D) The Department determines that an emergency exists and HAS ISSUED A NOTICE OF REVOCATION OR NONRENEWAL against the facility's license.

7) INITIATED AN ACTION TO APPOINT A RECEIVER.

8) RECOMMENDED TO THE DIRECTOR OF THE DEPARTMENT OF PUBLIC AID, OR THE SECRETARY OF THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, THE DECERTIFICATION FOR VIOLATIONS IN RELATION TO PATIENT CARE OF A FACILITY PURSUANT TO TITLES XVIII AND XIX OF THE FEDERAL SOCIAL SECURITY ACT (42 U.S.C. 1395 et seq. and 1396 et seq.). (Section 3-304(a) of the Act)

b) IN ADDITION TO THE NAME AND ADDRESS OF THE FACILITY, THE LIST SHALL INCLUDE THE NAME AND ADDRESS OF THE PERSON OR LICENSEE AGAINST WHOM THE ACTION HAS BEEN INITIATED, A SELF-EXPLANATORY SUMMARY OF THE FACTS WHICH WARRANTED THE INITIATION OF EACH ACTION, THE TYPE OF ACTION INITIATED, THE DATE OF THE INITIATION OF THE ACTION, THE AMOUNT OF THE PENALTY SOUGHT TO BE ASSESSED, IF ANY, AND THE FINAL DISPOSITION OF THE ACTION, IF COMPLETED. (Section 3-304(b) of the Act)

(Source: Amended at 17 Ill. Reg. _____, effective _____)

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1) Heading of the Part:

Sheltered Care-Facilities Code

2) Code Citation:

77 Ill. Adm. Code 330

3) Section Numbers:

330.260
330.271
330.278
330.290

Proposed Action:

Amendments
New Section
Amendments
Amendments

4) Statutory Authority:

Nursing Home Care Act
Ill. Rev. Stat. 1991, ch. 111 1/2, par. 4151-101 et seq.
[210 ILCS 45/1-101 et seq.(1992)]

5) A Complete Description of the Subjects and Issues Involved:

Section 330.260 - Subsection (d) of this Section is being amended to state that the terms of a conditional license shall be stayed pending the issuance of the Final Order at the conclusion of the hearing and that the facility may operate in the same manner as with an unrestricted license. In addition, subsection (c) is amended to state that the effective date of the conditional license shall be stayed.

Section 330.271 - This is a new Section concerning the presentation of findings at the conclusion of a survey. The rule will require the Department to conduct an exit conference at the conclusion of each on-site inspection, whether or not the investigation is completed. If the investigation has been completed, findings will be presented during the exit conference. The rule also provides a procedure for the submission of additional comments to the Department by the facility.

Section 330.278 - Subsection (g) is being amended to state that an approved plan of correction will be imposed by the Department anytime the Department issues a Type A or Repeat B violation.

Section 330.290 - Subsection (a)(5) is being amended to state that a facility will not be included on the Quarterly List of Violators if the terms of a conditional license issued to the facility have been stayed pursuant to Section 330.260(d).

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The Department has adopted identical emergency amendments in accordance with the emergency rulemaking requirements of the Illinois Administrative Procedure Act. The emergency rules became effective on February 3, 1993. These proposed amendments were considered by the Long-Term Care Facility Advisory Board at its February 9, 1993 meeting, as required by Section 2-204 of the Nursing Home Care Act.

The economic effect of this proposed rulemaking is unknown. Therefore, the Department requests any information that would assist in calculating this effect.

The Department anticipates adoption of this rulemaking approximately six to nine months after the publication of the notice in the Illinois Register.

6) Will this Rulemaking Replace an Emergency Rule Currently in Effect?Yes X No —7) Does this Rulemaking Contain an Automatic Repeal Date? Yes X No —If "yes," please specify the date: —8) Does this Rulemaking Contain Any Incorporations By Reference?Yes — No XIf "yes," please specify type: 6.02(a) — or 6.02(b) —9) Are there any other Proposed Amendments Pending on this Part?Yes X No —

If Yes:

<u>Section Numbers</u>	<u>Proposed Action</u>	<u>Ill. Reg. Citation</u>
330.1125	New Section	16 Ill. Reg. 16531
330.730	Amendments	16 Ill. Reg. 17540
330.175	Amendments	17 Ill. Reg. 1321
330.180	Amendments	17 Ill. Reg. 1321
330.270	Amendments	17 Ill. Reg. 1321
330.730	Amendments	17 Ill. Reg. 1321
330.916	Repealer	17 Ill. Reg. 1321
330.4210	Amendments	17 Ill. Reg. 1321
330.4330	Amendments	17 Ill. Reg. 1321

- 10) Statement of Statewide Policy Objectives:
This rulemaking does not create or expand a State Mandate.
- 11) Time, Place, and Manner in which Interested Persons May Comment on this Rulemaking:
Interested persons may present their comments concerning these rules by writing to Gail M. DeVito, Division of Governmental Affairs, Illinois Department of Public Health, 535 West Jefferson, Fifth Floor, Springfield, Illinois 62761 within 45 days after this issue of the Illinois Register.

These rules may have an impact on small businesses. In accordance with Sections 1-75 and 5-30 of the Illinois Administrative Procedure Act, any small business may present their comments in writing to Gail M. DeVito at the above address.

Any small business (as defined in Section 1-75 of the Illinois Administrative Procedure Act) commenting on these rules shall indicate their status as such, in writing, in their comments.

Initial Regulatory Flexibility Analysis:

A) Date Rulemaking was Submitted to the Business Assistance Office of the Department of Commerce and Community Affairs:

B) Type of Small Businesses Affected:
sheltered care facilities

C) Reporting, Bookkeeping or Other Procedures Required for Compliance:
None

D) Types of Professional Skills Necessary for Compliance:
None
- The full text of the Proposed Amendments begins on the next page:
- ILLINOIS REGISTER

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TITLE 77 PUBLIC HEALTH
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH
SUBCHAPTER c: LONG-TERM CARE FACILITIES

PART 330
SHELTERED CARE FACILITIES CODE

SUBPART A: GENERAL PROVISIONS

Section	General Requirements
330.110	Application for License
330.120	Licensee
330.130	Issuance of an Initial License For a New Facility
330.140	Issuance of an Initial License Due to a Change of Ownership
330.150	Issuance of a Renewal License
330.160	Criteria for Adverse License Actions
330.165	Denial of Initial License
330.170	Denial of Renewal of License
330.175	Revocation of License
330.180	Experimental Program Conflicting With Requirements
330.190	Inspections, Surveys, Evaluations and Consultation
330.200	Filing an Annual Attested Financial Statement
330.210	Information to Be Made Available to the Public By the Department
330.220	Information to be Made Available to the Public By the Licensee
330.230	Municipal Licensing
330.240	Ownership Disclosure
330.250	Issuance of Conditional Licenses
330.260	Monitor and Receivership
330.270	Presentation of Findings
330.271	Determination to Issue a Notice of Violation or Administrative Warning
330.272	Determination of the Level of a Violation
330.274	Notice of Violation
330.276	Administrative Warning
330.277	Plans of Correction
330.278	Reports of Correction
330.280	Conditions for Assessment of Penalties
330.282	Calculation of Penalties
330.284	Determination to Assess Penalties
330.286	Reduction or Waiver of Penalties
330.288	Quarterly List of Violators
330.290	Alcoholism Treatment Programs In Long-Term Care Facilities
330.300	Department May Survey Facilities Formerly Licensed
330.310	

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330.320 Waivers
330.330 Definitions
330.340 Incorporated and Referenced Materials

SUBPART B: ADMINISTRATION

330.510 Administrator

SUBPART C: POLICIES

330.710 Resident Care Policies
330.720 Admission and Discharge Policies
330.730 Contract Between Resident and Facility
330.740 Residents' Advisory Council
330.750 General Policies
330.760 Personnel Policies
330.765 Initial Health Evaluation for Employees
330.770 Disaster Preparedness
330.780 Serious Incidents and Accidents

SUBPART D: PERSONNEL

330.910 Personnel
330.913 Nursing and Personal Care Assistants (Repealed)
330.916 Student Interns
330.920 Consultation Services
330.930 Personnel Policies

SUBPART E: HEALTH SERVICES AND MEDICAL CARE OF RESIDENTS

330.1110 Medical Care Policies
330.1120 Personal Care
330.1130 Communicable Disease Policies
330.1135 Tuberculin Skin Test Procedures
330.1140 Behavior Emergencies

SUBPART F: RESTORATIVE SERVICES

330.1310 Activity Program
330.1320 Work Programs
330.1330 Written Policies for Restorative Services

SUBPART G: MEDICATIONS

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330.1510 Medication Policies
330.1520 Administration of Medication
330.1530 Labeling and Storage of Medications

SUBPART H: RESIDENT AND FACILITY RECORDS

330.1710 Resident Record Requirements
330.1720 Content of Medical Records
330.1730 Records Pertaining to Residents' Property
330.1740 Retention and Transfer of Resident Records
330.1750 Other Resident Record Requirements
330.1760 Retention of Facility Records
330.1770 Other Facility Record Requirements

SUBPART I: FOOD SERVICE

330.1910 Director of Food Services
330.1920 Dietary Staff in Addition to Director of Food Services
330.1930 Hygiene of Dietary Staff
330.1940 Diet Orders
330.1950 Adequacy of Diet and Meal Pattern
330.1960 Therapeutic Diets
330.1970 Scheduling of Meals
330.1980 Menu Planning
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330.2000 Food Handling Sanitation
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SUBPART J: MAINTENANCE, HOUSEKEEPING AND LAUNDRY

330.2210 Maintenance
330.2220 Housekeeping
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SUBPART K: FURNISHINGS, EQUIPMENT, AND SUPPLIES

330.2410 Furnishings
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SUBPART L: WATER SUPPLY AND SEWAGE DISPOSAL

330.2610 Codes
330.2620 Water Supply

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330.2630 Sewage Disposal
330.2640 Plumbing

SUBPART M: DESIGN AND CONSTRUCTION STANDARDS FOR NEW
SHELTERED CARE FACILITIES

330.2810 Applicable Requirements (Repealed)
330.2820 Applicability of These Standards
330.2830 Submission of a Program Narrative
330.2840 New Constructions, Additions, Conversions, and Alterations
330.2850 Preparation and Submission of Drawings and Specifications
330.2860 First Stage Drawings
330.2870 Second Stage Drawings
330.2880 Architectural Drawings
330.2890 Structural Drawings
330.3000 Mechanical Drawings
330.3010 Electrical Drawings
330.3020 Additions to Existing Structures
330.3030 Specifications
330.3040 Building Codes
330.3050 Site

330.3060 General Building Requirements
330.3070 Administration
330.3080 Corridors

330.3090 Bath and Toilet Rooms
330.3100 Living, Dining, Activity Rooms
330.3110 Bedrooms
330.3120 Special Care Room

330.3130 Kitchen

330.3140 Laundry

330.3150 Housekeeping, Service, and Storage

330.3160 Plumbing

330.3170 Heating

330.3180 Electrical

SUBPART N: FIRE PROTECTION STANDARDS FOR NEW SHELTERED CARE FACILITIES

330.3310 Applicable Requirements (Repealed)
330.3320 Applicability of These Standards

330.3330 Fire Protection

330.3340 Fire Department Service and Water Supply

330.3350 General Building Requirements

330.3360 Exit Facilities and Subdivision of Floor Areas

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330.3370 Stairways, Vertical Openings, and Doorways
330.3380 Corridors
330.3390 Exit Lights and Directional Signs
330.3400 Hazardous Areas and Combustible Storage
330.3410 Fire Alarm and Detection System
330.3420 Fire Extinguishers, Electric Wiring, and Miscellaneous
330.3430 Use of Fire Extinguishers, Evacuation Plan, and Fire Drills

SUBPART O: DESIGN AND CONSTRUCTION STANDARDS FOR EXISTING
SHELTERED CARE FACILITIES

330.3610 Site
330.3620 General Building Requirements
330.3630 Administration

330.3640 Corridors

330.3650 Bath and Toilet Rooms

330.3660 Living, Dining, and Activity Rooms

330.3670 Bedrooms

330.3680 Special Care Room

330.3690 Kitchen

330.3700 Laundry Room

330.3710 Housekeeping and Service Rooms and Storage Space

330.3720 Plumbing and Heating

330.3730 Electrical

SUBPART P: FIRE PROTECTION STANDARDS FOR EXISTING SHELTERED CARE
FACILITIES

330.3910 Fire Protection

330.3920 Fire Department Service and Water Supply

330.3930 Occupancy and Fire Areas

330.3940 Exit Facilities and Subdivision of Floor Areas

330.3950 Stairways, Vertical Openings, and Doorways

330.3960 Exit and Fire Escape Lights and Directional Signs

330.3970 Hazardous Areas and Combustible Storage

330.3980 Fire Alarm and Detection System

330.3990 Fire Extinguishers, Electric Wiring, and Miscellaneous

330.4000 Use of Fire Extinguishers, Evacuation Plan, and Fire Drills

SUBPART Q: RESIDENT'S RIGHTS

330.4210 General

330.4220 Medical and Personal Care Program

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330.4230 Restraints
 330.4240 Abuse and Neglect
 330.4250 Communication and Visitation
 330.4260 Resident's Funds
 330.4270 Residents' Advisory Council
 330.4280 Contract With Facility
 330.4290 Private Right of Action
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 330.4330 Facility Implementation

SUBPART R: DAY CARE PROGRAMS

330.4510 Day Care in Long-Term Care Facilities

330.APPENDIX A Interpretation, Components, and Illustrative Services for Sheltered Care Facilities
 330.APPENDIX B Classification of Distinct Part of a Facility For Different Levels of Service (Repealed)
 330.APPENDIX C Forms for Day Care in Long-Term Care Facilities
 330.APPENDIX D Criteria for Activity Directors Who Need Only Minimal Consultation
 330.TABLE A Disaster Preparedness Parameters--Relative Humidity and Temperature

AUTHORITY: Implementing and authorized by the Nursing Home Care Act (Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 4151-101 et seq.) [210 ILCS 45/1-101 et seq. (1992)].

SOURCE: Emergency rules adopted at 4 Ill. Reg. 10, p. 807, effective March 1, 1980, for a maximum of 150 days; adopted at 4 Ill. Reg. 30, p. 933, effective July 28, 1980; amended at 6 Ill. Reg. 5981, effective May 3, 1982; amended at 6 Ill. Reg. 8198, effective June 29, 1982; amended at 6 Ill. Reg. 14547, effective November 8, 1982; amended at 6 Ill. Reg. 14681, effective November 15, 1982; amended at 7 Ill. Reg. 1963, effective January 28, 1983; amended at 7 Ill. Reg. 6973, effective May 17, 1983; amended at 7 Ill. Reg. 15825, effective November 15, 1983; amended at 8 Ill. Reg. 15596, effective August 15, 1984; amended at 8 Ill. Reg. 15941, effective August 17, 1984; codified at 8 Ill. Reg. 19790; amended at 8 Ill. Reg. 24241, effective November 28, 1984; amended at 8 Ill. Reg. 24696, effective December 7, 1984; amended at 9 Ill. Reg. 2952, effective February 25, 1985; amended at 9 Ill. Reg. 10974, effective July 1, 1985; amended at 11 Ill. Reg. 16879, effective October 1, 1987; amended at 12 Ill. Reg. 1017, effective December 24, 1987; amended at 12 Ill. Reg. 16870, effective October 1, 1988; emergency amendment at 12 Ill. Reg. 18939, effective October 24, 1988, for a maximum of 150 days; emergency expired March 23, 1989; amended at 13 Ill. Reg. 6502, effective April 17, 1989; amended at 13 Ill. Reg. 19580, effective December 1, 1989; amended at 14 Ill. Reg. 14928, effective October 1, 1990; amended at 15 Ill. Reg. 516, effective January 1, 1991; amended at 16 Ill. Reg. 651, effective January 1, 1992; amended at 16 Ill. Reg. 14370, effective

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September 3, 1992; emergency amendment at 17 Ill. Reg. 2405, effective February 3, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. _____, effective _____.

NOTE: Italics and capitalization denote statutory language.

Section 330.260 Issuance of Conditional Licenses

- a) THE DIRECTOR MAY ISSUE A CONDITIONAL LICENSE UNDER SECTION 3-305 of the Act TO ANY FACILITY IF THE DIRECTOR FINDS THAT EITHER A TYPE "A" OR TYPE "B" VIOLATION EXISTS IN SUCH FACILITY. THE ISSUANCE OF A CONDITIONAL LICENSE SHALL REVOKE ANY LICENSE HELD BY THE FACILITY. (Section 3-311 of the Act)
- b) PRIOR TO THE ISSUANCE OF A CONDITIONAL LICENSE, THE DEPARTMENT SHALL REVIEW AND APPROVE A WRITTEN PLAN OF CORRECTION. THE DEPARTMENT SHALL SPECIFY THE VIOLATIONS WHICH PREVENT FULL LICENSURE AND SHALL ESTABLISH A TIME SCHEDULE FOR CORRECTION OF THE DEFICIENCIES. RETENTION OF THE LICENSE SHALL BE CONDITIONAL UPON ON THE TIMELY CORRECTION OF THE DEFICIENCIES IN ACCORDANCE WITH THE PLAN OF CORRECTION. (Section 3-312 of the Act)
- c) WRITTEN NOTICE OF THE DECISION TO ISSUE A CONDITIONAL LICENSE SHALL BE SENT TO THE APPLICANT OR LICENSEE TOGETHER WITH THE SPECIFICATION OF ALL VIOLATIONS OF ~~THIS ACT AND THE RULES PROMULGATED THEREUNDER~~ the Act and this Part WHICH PREVENT FULL LICENSURE AND WHICH FORM THE BASIS FOR THE DEPARTMENT'S DECISION TO ISSUE A CONDITIONAL LICENSE AND THE REQUIRED PLAN OF CORRECTION. THE NOTICE SHALL INFORM THE APPLICANT OR LICENSEE OF ITS RIGHT TO A FULL HEARING UNDER SECTION 3-315 ~~OF THE ACT OF THE ACT~~ TO CONTEST THE ISSUANCE OF THE CONDITIONAL LICENSE. (Section 3-313 of the Act)

- d) IF THE APPLICANT OR LICENSEE DESIRES TO PROTEST CONTEST THE BASIS FOR ISSUANCE OF A CONDITIONAL LICENSE, OR THE TERMS OF ~~OF THE~~ LICENSE OR THE PLAN OF CORRECTION, THE APPLICANT OR LICENSEE SHALL SEND A WRITTEN REQUEST FOR HEARING TO THE DEPARTMENT WITHIN TEN DAYS AFTER RECEIPT BY THE APPLICANT OR LICENSEE OF THE DEPARTMENT'S NOTICE AND DECISION TO ISSUE A CONDITIONAL LICENSE. THE DEPARTMENT SHALL HOLD THE HEARING AS PROVIDED UNDER ~~THE~~ ACT SECTION 3-703 of the Act. The terms of the conditional license shall be stayed pending the issuance of the Final Order at the conclusion of the hearing, and the facility may operate in the same manner as with an unrestricted license. (Section 3-315 of the Act)

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- e) A CONDITIONAL LICENSE SHALL BE ISSUED FOR A PERIOD SPECIFIED BY THE DEPARTMENT, BUT IN NO EVENT FOR MORE THAN ONE YEAR. The effective date of the conditional license shall not begin until such time as the applicant or licensee has had the opportunity to request a hearing pursuant to subsection (d), and if a hearing is requested in a timely manner, then the terms of the conditional license shall be stayed as provided for in subsection (d) of this Section. THE DEPARTMENT SHALL PERIODICALLY INSPECT ANY FACILITY OPERATING UNDER A CONDITIONAL LICENSE. IF THE DEPARTMENT FINDS SUBSTANTIAL FAILURE BY THE FACILITY TO TIMELY CORRECT THE VIOLATIONS WHICH PREVENTED FULL LICENSURE AND FORMED THE BASIS FOR THE DEPARTMENT'S DECISION TO ISSUE A CONDITIONAL LICENSE IN ACCORDANCE WITH THE REQUIRED PLAN OF CORRECTION, THE CONDITIONAL LICENSE MAY BE REVOKED AS PROVIDED UNDER THE ACT SECTION 3-119 of the Act. (Section 3-316 of the Act)

(Source: Amended at 17 Ill. Reg. _____, effective _____)

Section 330.271 Presentation of Findings

- a) If it is probable that findings will be presented that could be issued as violations of regulations which represent a direct threat to the health, safety or welfare of residents, surveyors shall notify the administrator or designee during the course of the survey of such possible findings.
- b) The Department shall conduct an exit conference with the administrator or other facility designee at the conclusion of each on-site inspection at the facility, whether or not the investigation has been completed. If the investigation has been completed, findings shall be presented during the exit conference. If the investigation has not been completed at the time of the facility exit, the Department shall inform the facility administrator or designee that the investigation is not complete and that findings may be presented to the facility at a later date. Presentation of any additional findings may be conducted at the facility, at the Department's regional office, or by telephone.
- c) With the assistance of the administrator, surveyors shall schedule a time and place for the exit conference to be held at the conclusion of the survey.
- d) At the exit conference, surveyors shall present their findings and resident identity key and identify regulations related to the findings. The facility administrator or designee shall have an opportunity at the exit conference to discuss and provide additional documentation related to the findings. The Department's surveyors conducting the exit conference may, in their discretion, modify or eliminate any or all preliminary findings in accordance with any facts presented by the facility to the Department during the exit conference.
- e) Additional comments or documentation may be submitted by the facility to the Department

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during a 10-day comment period as allowed by the Act.

- f) If the Department determines, after review of the comments submitted pursuant to subsection (d), that the facility may have committed violations of the Act or this Part different than or in addition to those presented at the exit conference and the violations may be cited as either Type A or repeat Type B violations, the Department shall so inform the facility in writing. The facility shall then have an opportunity to submit additional comments addressing the different or additional sections of the Act or this Part. The surveyors will be advised of any code changes made after their recommendations are submitted.
- g) The facility shall have 5 (five) working days from receipt of the notice required by subsection (f) of this Section to submit its additional comments to the Department. The Department shall consider such additional comments in determining the existence and level of violation of the Act and/or this Part in the same manner as the Department considers the facility's original comments.
- h) If desired by the facility, an audio-taped recording may be made of the exit conference provided that a copy of such recording be provided, at facility expense, to the surveyors at the conclusion of the exit conference. Video-taped recordings shall not be allowed.
- i) Surveyors shall not conduct an exit conference for the following reasons:
- 1) The facility administrator or designee requests that an exit conference not be held;
 - 2) During a scheduled exit conference, facility staff and/or their guests create an environment that is not conducive to a meaningful exchange of information.
- (Source: Added at 17 Ill. Reg. _____, effective _____)

Section 330.278 Plans of Correction

- a) A FACILITY SHALL HAVE TEN DAYS AFTER RECEIPT OF A NOTICE OF VIOLATION FOR A LEVEL B VIOLATION for a Type B violation, or after receipt of a notice under Section 330.277(d) of failure to correct a situation, condition, or practice which resulted in the issuance of an administrative warning, TO PREPARE AND SUBMIT A PLAN OF CORRECTION to the Department. (Section 3-303(b) of the Act)
- b) Within the ten-day period, a facility may request additional time for submission of the plan of correction. The Department will extend the period for submission of the plan of correction for an additional 30 days, when it finds that corrective action by a facility to abate or eliminate the violation will require SUBSTANTIAL CAPITAL IMPROVEMENT. The Department will consider the extent and complexity of necessary physical plant repairs

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and improvements and any impact on the health, safety, or welfare of the residents of the facility in determining whether to grant a requested extension. (Section 3-303(b) of the Act)

- c) Each plan of correction shall be based on an assessment by the facility of the conditions or occurrences which are the basis of the violation and an evaluation of the practices, policies, and procedures which have caused or contributed to the conditions or occurrences. Evidence of such assessment and evaluation shall be maintained by the facility. Each plan of correction shall include:
- 1) A description of the specific corrective action the facility is taking, or plans to take, to abate, eliminate, or correct the violation cited in the notice.
 - 2) A description of the steps which will be taken to avoid future occurrences of the same and similar violations.
 - 3) A specific date by which the corrective action will be completed.

- d) Submission of a plan of correction shall not be considered an admission by the facility that the violation has occurred.

- e) The Department shall review each plan of correction to insure that it provides for the abatement, elimination, or correction of the violation. The Department shall reject a submitted plan only if it finds any of the following deficiencies:

- 1) The plan does not appear to address the conditions or occurrences which are the basis of the violation and an evaluation of the practices, policies, and procedures which have caused or contributed to the conditions or occurrences.
- 2) The plan is not specific enough to indicate the actual actions the facility will be taking to abate, eliminate, or correct the violation.
- 3) The plan does not provide for measures which will abate or eliminate, or correct the violation.
- 4) The plan does not provide steps which will avoid future occurrences of the same and similar violations.
- 5) The plan does not provide for timely completion of the corrective action, considering the seriousness of the violation, any possible harm to the residents, and the extent and complexity of the corrective action.
- f) When the Department rejects a submitted plan of correction, it shall notify the facility. The

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notice of rejection shall be in writing and shall specify the REASON FOR THE REJECTION. THE FACILITY SHALL HAVE TEN DAYS AFTER RECEIPT OF THE NOTICE OF REJECTION IN WHICH TO SUBMIT A MODIFIED PLAN. (Section 3-303(b) of the Act)

- g) If a facility fails to submit a plan or modified plan meeting the criteria in subsection (c) within the prescribed time periods in subsection (a) or subsection (d), or anytime the Department issues a Type A or repeat B violation, AN APPROVED PLAN OF CORRECTION WILL BE IMPOSED BY THE DEPARTMENT. (Section 3-303(b) of the Act) an approved plan of correction will be imposed by the Department.
- h) The Department shall verify the completion of the correction action required by the plan of correction within the specified time period during subsequent investigations, surveys and evaluations of the facility.

(Source: Amended at 17 Ill. Reg. _____, effective _____)

Section 330.290 Quarterly List of Violators

- a) THE DEPARTMENT SHALL PREPARE ON A QUARTERLY BASIS A LIST CONTAINING THE NAMES AND ADDRESSES OF ALL FACILITIES AGAINST WHICH THE DEPARTMENT DURING THE PREVIOUS QUARTER HAS:

- 1) Issued a NOTICE OF PENALTY ASSESSMENT for a level A violation as provided in Section 330.286 of this Part and Section 3-305(1) of the Act.
- 2) Issued a NOTICE OF REVOCATION of the facility's license as provided in Section 330.180 of this Part and Section 3-119 of the Act.
- 3) Issued a NOTICE REFUSING RENEWAL of the facility's license as provided in Section 330.175 of this Part and Section 3-119 of the Act.
- 4) Issued a NOTICE TO SUSPEND the facility's license as provided in Section 3-119 of the Act.
- 5) ISSUED A CONDITIONAL LICENSE to the facility based on violations which were not corrected as provided in Section 330.260 of this Part and Section 3-313 of the Act, except where the terms of the conditional license have been stayed pursuant to Section 330.260(d).
- 6) PLACED A MONITOR ~~IN THE FACILITY~~ in the facility as provided in Section 330.270 of this Part and Section 3-501 of the Act for one of the following reasons:

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- A) The facility is operating without a license.
- B) The Department has revoked or refused to renew the license of the facility.
- C) The facility is closing or has informed the Department that it intends to close and adequate arrangements for relocation of residents have not been made at least 30 days prior to closure.
- D) The Department determines that an emergency exists and HAS ISSUED A NOTICE OF REVOCATION OR NONRENEWAL against the facility's license.
- 7) INITIATED AN ACTION TO APPOINT A RECEIVER.
- 8) RECOMMENDED TO THE DIRECTOR OF THE DEPARTMENT OF PUBLIC AID, OR THE SECRETARY OF THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, THE DECERTIFICATION FOR VIOLATIONS IN RELATION TO PATIENT CARE OF A FACILITY PURSUANT TO TITLES XVIII AND XIX OF THE FEDERAL SOCIAL SECURITY ACT (42 U.S.C. 1395 et seq. and 1396 et seq.). (Section 3-304(a) of the Act)
- b) IN ADDITION TO THE NAME AND ADDRESS OF THE FACILITY, THE LIST SHALL INCLUDE THE NAME AND ADDRESS OF THE PERSON OR LICENSEE AGAINST WHOM THE ACTION HAS BEEN INITIATED, A SELF-EXPLANATORY SUMMARY OF THE FACTS WHICH WARRANTED THE INITIATION OF EACH ACTION, THE TYPE OF ACTION INITIATED, THE DATE OF THE INITIATION OF THE ACTION, THE AMOUNT OF THE PENALTY SOUGHT TO BE ASSESSED, IF ANY, AND THE FINAL DISPOSITION OF THE ACTION, IF COMPLETED. (Section 3-304(b) of the Act)

(Source: Amended at 17 Ill. Reg. _____, effective _____)

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1) Heading of the Part:

Skilled Nursing and Intermediate Care Facilities Code

2) Code Citation:

77 Ill. Adm. Code 300

3) Section Numbers:

300.260
300.271
300.278
300.290

Proposed Action:

Amendments
New Section
Amendments
Amendments

4) Statutory Authority:

Nursing Home Care Act
Ill. Rev. Stat. 1991, ch. 111 1/2, par. 4151-101 et seq.
[210 ILCS 45/1-101 et seq.(1992)]

5) A Complete Description of the Subjects and Issues Involved:

Section 300.260 - Subsection (d) of this Section is being amended to state that the terms of a conditional license shall be stayed pending the issuance of the Final Order at the conclusion of the hearing and that the facility may operate in the same manner as with an unrestricted license. In addition, subsection (c) is amended to state that the effective date of the conditional license shall be stayed.

Section 300.271 - This is a new Section concerning the presentation of findings at the conclusion of a survey. The rule will require the Department to conduct an exit conference at the conclusion of each on-site inspection, whether or not the investigation is completed. If the investigation has been completed, findings will be presented during the exit conference. The rule also provides a procedure for the submission of additional comments to the Department by the facility.

Section 300.278 - Subsection (g) is being amended to state that an approved plan of correction will be imposed by the Department anytime the Department issues a Type A or Repeat B violation.

Section 300.290 - Subsection (a)(5) is being amended to state that a facility will not be included on the Quarterly List of Violators if the terms of a conditional license issued to the facility have been stayed pursuant to Section 300.260(d).

The Department has adopted identical emergency amendments in accordance with the emergency rulemaking requirements of the Illinois Administrative Procedure Act. The emergency rules became effective on February 3, 1993. These proposed amendments were considered by the Long-Term Care Facility Advisory Board at its February 9, 1993 meeting, as required by Section 2-204 of the Nursing Home Care Act.

The economic effect of this proposed rulemaking is unknown. Therefore, the Department requests any information that would assist in calculating this effect.

The Department anticipates adoption of this rulemaking approximately six to nine months after the publication of the notice in the Illinois Register.

6) Will this Rulemaking Replace an Emergency Rule Currently in Effect?

Yes X No

7) Does this Rulemaking Contain an Automatic Repeal Date? Yes No X

If "yes," please specify the date:

8) Does this Rulemaking Contain Any Incorporations By Reference?

Yes No X

If "yes," please specify type: 6.02(a) or 6.02(b)

9) Are there any other Proposed Amendments Pending on this Part?

Yes X No

If Yes:

Section Numbers	Proposed Action	Ill. Reg. Citation
300.1035	New Section	16 Ill. Reg. 16541
300.630	Amendments	16 Ill. Reg. 17555
300.175	Amendments	17 Ill. Reg. 1346
300.180	Amendments	17 Ill. Reg. 1346
300.270	Amendments	17 Ill. Reg. 1346
300.630	Amendments	17 Ill. Reg. 1346
300.660	Amendments	17 Ill. Reg. 1346
300.665	Amendments	17 Ill. Reg. 1346
300.3210	Amendments	17 Ill. Reg. 1346

300.3330 Amendments 17 Ill. Reg. 1346

10) Statement of Statewide Policy Objectives:

This rulemaking does not create or expand a State Mandate.

11) Time, Place, and Manner in which Interested Persons May Comment on this Rulemaking:

Interested persons may present their comments concerning these rules by writing to Gail M. DeVito, Division of Governmental Affairs, Illinois Department of Public Health, 535 West Jefferson, Fifth Floor, Springfield, Illinois 62761 within 45 days after this issue of the Illinois Register.

These rules may have an impact on small businesses. In accordance with Sections 1-75 and 5-30 of the Illinois Administrative Procedure Act, any small business may present their comments in writing to Gail M. DeVito at the above address.

Any small business (as defined in Section 1-75 of the Illinois Administrative Procedure Act) commenting on these rules shall indicate their status as such, in writing, in their comments.

12) Initial Regulatory Flexibility Analysis:

A) Date Rulemaking was Submitted to the Business Assistance Office of the Department of Commerce and Community Affairs:

B) Type of Small Businesses Affected:

skilled nursing and intermediate care facilities

C) Reporting, Bookkeeping or Other Procedures Required for Compliance:

None

D) Types of Professional Skills Necessary for Compliance:

None

The full text of the Proposed Amendments begins on the next page:

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NOTICE OF PROPOSED AMENDMENTS

TITLE 77: PUBLIC HEALTH
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH
SUBCHAPTER c: LONG-TERM CARE FACILITIES

PART 300

SKILLED NURSING AND INTERMEDIATE CARE FACILITIES CODE

SUBPART A: GENERAL PROVISIONS

Section	
300.110	General Requirements
300.120	Application for License
300.130	Licensee
300.140	Issuance of an Initial License for a New Facility
300.150	Issuance of an Initial License Due to a Change of Ownership
300.160	Issuance of a Renewal License
300.165	Criteria for Adverse Licensure Actions
300.170	Denial of Initial License
300.175	Denial of Renewal of License
300.180	Revocation of License
300.190	Experimental Program Conflicting With Requirements
300.200	Inspections, Surveys, Evaluations and Consultation
300.210	Filing an Annual Attested Financial Statement
300.220	Information to Be Made Available to the Public By the Department
300.230	Information to Be Made Available to the Public By the Licensee
300.240	Municipal Licensing
300.250	Ownership Disclosure
300.260	Issuance of Conditional Licenses
300.270	Monitor and Receivership
300.271	Presentation of Findings
300.272	Determination to Issue a Notice of Violation or Administrative Warning
300.274	Determination of the Level of a Violation
300.276	Notice of Violation
300.277	Administrative Warning
300.278	Plans of Correction
300.280	Reports of Correction
300.282	Conditions for Assessment of Penalties
300.284	Calculation of Penalties
300.286	Determination to Assess Penalties
300.288	Reduction or Waiver of Penalties
300.290	Quarterly List of Violators
300.300	Alcoholism Treatment Programs In Long-Term Care Facilities
300.310	Department May Survey Facilities Formerly Licensed

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300.320	Waivers
300.330	Definitions
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SUBPART B: ADMINISTRATION

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300.650	Personnel Policies
300.655	Initial Health Evaluation for Employees
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SUBPART D: PERSONNEL

300.810	General
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300.840	Personnel Policies

SUBPART E: MEDICAL AND DENTAL CARE OF RESIDENTS

300.1010	Medical Care Policies
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300.1030	Medical Emergencies
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300.1050	Dental Standards

SUBPART F: NURSING AND PERSONAL CARE

300.1210	General Requirements for Nursing and Personal Care
300.1220	Supervision of Nursing Services
300.1230	Staffing

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300.1240 Additional Requirements

SUBPART G: RESIDENT CARE SERVICES

300.1410 Activity Program

300.1420 Specialized Rehabilitation Services

300.1430 Work Programs

SUBPART H: MEDICATIONS

300.1610 Medication Policies and Procedures

300.1620 Conformance With Physician's Orders

300.1630 Administration of Medication

300.1640 Labeling and Storage of Medications

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SUBPART I: RESIDENT AND FACILITY RECORDS

300.1810 Resident Record Requirements

300.1820 Content of Medical Records

300.1830 Records Pertaining to Residents' Property

300.1840 Retention and Transfer of Resident Records

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SUBPART J: FOOD SERVICE

300.2010 Director of Food Services

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300.2050 Adequacy of Diet and Meal Pattern

300.2060 Therapeutic Diets

300.2070 Scheduling Meals

300.2080 Menu Planning

300.2090 Food Preparation and Service

300.2100 Food Handling Sanitation

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SUBPART K: MAINTENANCE, HOUSEKEEPING, AND LAUNDRY

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300.2210 Maintenance

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SUBPART L: FURNISHINGS, EQUIPMENT, AND SUPPLIES

300.2410 Furnishings

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SUBPART M: WATER SUPPLY AND SEWAGE DISPOSAL

300.2610 Codes

300.2620 Water Supply

300.2630 Sewage Disposal

300.2640 Plumbing

SUBPART N: DESIGN AND CONSTRUCTION STANDARDS
FOR NEW INTERMEDIATE CARE AND SKILLED NURSING FACILITIES

300.2810 Applicability of these Standards

300.2820 Codes and Standards

300.2830 Preparation of Drawings and Specifications

300.2840 Site

300.2850 Administration and Public Areas

300.2860 Nursing Unit

300.2870 Dining, Living, Activities Rooms

300.2880 Therapy and Personal Care

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SUBPART O: DESIGN AND CONSTRUCTION STANDARDS
FOR EXISTING INTERMEDIATE CARE AND SKILLED NURSING FACILITIES

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SUBPART P: RESIDENT'S RIGHTS

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SUBPART Q: SPECIALIZED LIVING FACILITIES FOR THE MENTALLY ILL

300.3410 Application of Other Divisions of These Minimum Standards
 300.3420 Administrator
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300.3560 Podiatric Services
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 300.3600 Record Keeping
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SUBPART R: DAYCARE PROGRAMS

300.3710 Day Care in Long-Term Care Facilities
 300.APPENDIX A Interpretation, Components, and Illustrative Services for Intermediate Care Facilities and Skilled Nursing Facilities
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 300.TABLE A Sound Transmission Limitations in New Skilled Nursing and Intermediate Care Facilities
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 300.TABLE C Construction Types and Sprinkler Requirements for Existing Skilled Nursing Facilities/Intermediate Care Facilities
 300.TABLE D Disaster Preparedness Parameters - Relative Humidity and Temperature

AUTHORITY: Implementing and authorized by the Nursing Home Care Act (Ill Rev. Stat. 1991, ch. 111 1/2, par. 4151-101 et seq.) [210 ILCS 45/1-101 et seq. (1992)].

SOURCE: Emergency rules adopted at 4 Ill. Reg. 10, p. 1066, effective March 1, 1980, for a maximum of 150 days; adopted at 4 Ill. Reg. 30, p. 311, effective July 28, 1980; emergency amendment at 6 Ill. Reg. 3229, effective March 8, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 5981, effective May 3, 1982; amended at 6 Ill. Reg. 6454, effective May 14, 1982; amended at 6 Ill. Reg. 8198, effective June 29, 1982; amended at 6 Ill. Reg. 11631, effective September 14, 1982; amended at 6 Ill. Reg. 14550 and 14554, effective November 8, 1982; amended at 6 Ill. Reg. 14684, effective November 15, 1982; amended at 7 Ill. Reg. 285, effective December 22, 1982; amended at 7 Ill. Reg. 1972, effective January 28, 1983; amended at 7 Ill. Reg. 8579, effective July 11, 1983; amended at 7 Ill. Reg. 15831, effective November 10, 1983; amended at 7 Ill. Reg. 15864, effective November 15, 1983; amended at 7 Ill. Reg. 16992, effective December 14, 1983; amended at 8 Ill. Reg. 15599, 15603, and 15606, effective August 15, 1984; amended at 8 Ill. Reg. 15947, effective August 17, 1984; amended at 8 Ill. Reg. 16999, effective September 5, 1984; codified

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at 8 Ill. Reg. 19766; amended at 8 Ill. Reg. 24186, effective November 29, 1984; amended at 8 Ill. Reg. 24668, effective December 7, 1984; amended at 8 Ill. Reg. 25102, effective December 14 1984; amended at 9 Ill. Reg. 132, effective December 26, 1984; amended at 9 Ill. Reg. 4087, effective March 15, 1985; amended at 9 Ill. Reg. 11049, effective July 1, 1985; amended at 11 Ill. Reg. 16927, effective October 1, 1987; amended at 12 Ill. Reg. 1052, effective December 24, 1987; amended at 12 Ill. Reg. 16811, effective October 1, 1988; emergency amendment at 12 Ill. Reg. 18477, effective October 24, 1988, for a maximum of 150 days; emergency expired March 23, 1989; amended at 13 Ill. Reg. 4684, effective March 24, 1989; amended at 13 Ill. Reg. 5134, effective April 1, 1989; amended at 13 Ill. Reg. 20089, effective December 1, 1989; amended at 14 Ill. Reg. 14950, effective October 1, 1990; amended at 15 Ill. Reg. 544, effective January 1, 1991; amended at 16 Ill. Reg. 681, effective January 1, 1992; amended at 16 Ill. Reg. 5977, effective March 27, 1992; amended at 16 Ill. Reg. 17089, effective November 3, 1992; emergency amendment at 17 Ill. Reg. 2420, effective February 3, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. _____, effective _____.

NOTE: Italics and capitalization denote statutory language.

Section 300.260

Issuance of Conditional Licenses

- a) THE DIRECTOR MAY ISSUE A CONDITIONAL LICENSE UNDER SECTION 3-305 of the Act TO ANY FACILITY IF THE DIRECTOR FINDS THAT EITHER A TYPE "A" OR TYPE "B" VIOLATION EXISTS IN SUCH FACILITY. THE ISSUANCE OF A CONDITIONAL LICENSE SHALL REVOKE ANY LICENSE HELD BY THE FACILITY. (Section 3-311 of the Act)
- b) PRIOR TO THE ISSUANCE OF A CONDITIONAL LICENSE, THE DEPARTMENT SHALL REVIEW AND APPROVE A WRITTEN PLAN OF CORRECTION. THE DEPARTMENT SHALL SPECIFY THE VIOLATIONS WHICH PREVENT FULL LICENSURE AND SHALL ESTABLISH A TIME SCHEDULE FOR CORRECTION OF THE DEFICIENCIES. RETENTION OF THE LICENSE SHALL BE CONDITIONAL UPON THE TIMELY CORRECTION OF THE DEFICIENCIES IN ACCORDANCE WITH THE PLAN OF CORRECTION. (Section 3-312 of the Act)
- c) WRITTEN NOTICE OF THE DECISION TO ISSUE A CONDITIONAL LICENSE SHALL BE SENT TO THE APPLICANT OR LICENSEE TOGETHER WITH THE SPECIFICATION OF ALL VIOLATIONS OF THE ACT AND THIS PART OF THE ACT and this Part WHICH PREVENT FULL LICENSURE AND WHICH FORM THE BASIS FOR THE DEPARTMENT'S DECISION TO ISSUE A CONDITIONAL LICENSE AND THE REQUIRED PLAN OF CORRECTION. THE NOTICE SHALL INFORM THE APPLICANT OR LICENSEE OF ITS RIGHT TO A FULL HEARING UNDER SECTION 3-315 OF THE ACT OF THE ACT TO CONTEST THE ISSUANCE OF THE CONDITIONAL LICENSE. (Section 3-313 of the Act)

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- d) IF THE APPLICANT OR LICENSEE DESIRES TO ~~PROTEST~~ CONTEST THE BASIS FOR ISSUANCE OF A CONDITIONAL LICENSE, OR THE TERMS OF THE PLAN OF CORRECTION, THE APPLICANT OR LICENSEE SHALL SEND A WRITTEN REQUEST FOR HEARING TO THE DEPARTMENT WITHIN TEN DAYS AFTER RECEIPT BY THE APPLICANT OR LICENSEE OF THE DEPARTMENT'S NOTICE AND DECISION TO ISSUE A CONDITIONAL LICENSE. THE DEPARTMENT SHALL HOLD THE HEARING AS PROVIDED UNDER ~~THE ACT~~ SECTION 3-703 of the Act. The terms of the conditional license shall be stayed pending the issuance of the Final Order at the conclusion of the hearing, and the facility may operate in the same manner as with an unrestricted license. (Section 3-315 of the Act)
- e) A CONDITIONAL LICENSE SHALL BE ISSUED FOR A PERIOD SPECIFIED BY THE DEPARTMENT, BUT IN NO EVENT FOR MORE THAN ONE YEAR. The effective date of the conditional license shall not begin until such time as the applicant or licensee has had the opportunity to request a hearing pursuant to subsection (d), and if a hearing is requested in a timely manner, then the terms of the conditional license shall be stayed as provided for in subsection (d) of this Section. THE DEPARTMENT SHALL PERIODICALLY INSPECT ANY FACILITY OPERATING UNDER A CONDITIONAL LICENSE. IF THE DEPARTMENT FINDS SUBSTANTIAL FAILURE BY THE FACILITY TO TIMELY CORRECT THE VIOLATIONS WHICH PREVENTED FULL LICENSURE AND FORMED THE BASIS FOR THE DEPARTMENT'S DECISION TO ISSUE A CONDITIONAL LICENSE IN ACCORDANCE WITH THE REQUIRED PLAN OF CORRECTION, THE CONDITIONAL LICENSE MAY BE REVOKED AS PROVIDED UNDER ~~THE ACT~~ SECTION 3-119 of the Act. (Section 3-316 of the Act)

(Source: Amended at 17 Ill. Reg. _____, effective _____.)

Section 300.271

Presentation of Findings

- a) If it is probable that findings will be presented that could be issued as violations of regulations which represent a direct threat to the health, safety or welfare of residents, surveyors shall notify the administrator or designee during the course of the survey of such possible findings.
- b) The Department shall conduct an exit conference with the administrator or other facility designee at the conclusion of each on-site inspection at the facility, whether or not the investigation has been completed. If the investigation has been completed, findings shall be presented during the exit conference. If the investigation has not been completed at the time of the facility exit, the Department shall inform the facility administrator or designee that the investigation is not complete and that findings may be presented to the facility at a later date. Presentation of any additional findings may

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be conducted at the facility, at the Department's regional office, or by telephone.

c) With the assistance of the administrator, surveyors shall schedule a time and place for the exit conference to be held at the conclusion of the survey.

d) At the exit conference, surveyors shall present their findings and resident identity key and identify regulations related to the findings. The facility administrator or designee shall have an opportunity at the exit conference to discuss and provide additional documentation related to the findings. The Department's surveyors conducting the exit conference may, in their discretion, modify or eliminate any or all preliminary findings in accordance with any facts presented by the facility to the Department during the exit conference.

e) Additional comments or documentation may be submitted by the facility to the Department during a 10-day comment period as allowed by the Act.

f) If the Department determines, after review of the comments submitted pursuant to subsection (d), that the facility may have committed violations of the Act or this Part different than or in addition to those presented at the exit conference and the violations may be cited as either Type A or repeat Type B violations, the Department shall so inform the facility in writing. The facility shall then have an opportunity to submit additional comments addressing the different or additional sections of the Act or this Part. The surveyors will be advised of any code changes made after their recommendations are submitted.

g) The facility shall have 5 (five) working days from receipt of the notice required by subsection (f) of this Section to submit its additional comments to the Department. The Department shall consider such additional comments in determining the existence and level of violation of the Act and/or this Part in the same manner as the Department considers the facility's original comments.

h) If desired by the facility, an audio-taped recording may be made of the exit conference provided that a copy of such recording be provided, at facility expense, to the surveyors at the conclusion of the exit conference. Video-taped recordings shall not be allowed.

i) Surveyors shall not conduct an exit conference for the following reasons:

1) The facility administrator or designee requests that an exit conference not be held;

2) During a scheduled exit conference, facility staff and/or their guests create an environment that is not conducive to a meaningful exchange of information.

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(Source: Added at 17 Ill. Reg. _____, effective _____)

Section 300.278 Plans of Correction

a) A FACILITY SHALL HAVE TEN DAYS AFTER RECEIPT OF A NOTICE OF VIOLATION ~~FOR A LEVEL B VIOLATION~~ for a Type B violation, or after receipt of a notice under Section 300.277(d) of failure to correct a situation, condition, or practice which resulted in the issuance of an administrative warning, TO PREPARE AND SUBMIT A PLAN OF CORRECTION to the Department. (Section 3-303(b) of the Act)

b) Within the ten-day period, a facility may request additional time for submission of the plan of correction. The Department will extend the period for submission of the plan of correction for an additional 30 days, when it finds that corrective action by a facility to abate or eliminate the violation will require SUBSTANTIAL CAPITAL IMPROVEMENT. The Department will consider the extent and complexity of necessary physical plant repairs and improvements and any impact on the health, safety, or welfare of the residents of the facility in determining whether to grant a requested extension. (Section 3-303(b) of the Act)

c) Each plan of correction shall be based on an assessment by the facility of the conditions or occurrences which are the basis of the violation and an evaluation of the practices, policies, and procedures which have caused or contributed to the conditions or occurrences. Evidence of such assessment and evaluation shall be maintained by the facility. Each plan of correction shall include:

1) A description of the specific corrective action the facility is taking, or plans to take, to abate, eliminate, or correct the violation cited in the notice.

2) A description of the steps which will be taken to avoid future occurrences of the same and similar violations.

3) A specific date by which the corrective action will be completed.

d) Submission of a plan of correction shall not be considered an admission by the facility that the violation has occurred.

e) The Department shall review each plan of correction to insure that it provides for the abatement, elimination, or correction of the violation. The Department shall reject a submitted plan only if it finds any of the following deficiencies:

1) The plan does not appear to address the conditions or occurrences which are the basis of the violation and an evaluation of the practices, policies, and

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procedures which have caused or contributed to the conditions or occurrences.

- 2) The plan is not specific enough to indicate the actual actions the facility will be taking to abate, eliminate, or correct the violation.
- 3) The plan does not provide for measures which will abate or eliminate, or correct the violation.
- 4) The plan does not provide steps which will avoid future occurrences of the same and similar violations.
- 5) The plan does not provide for timely completion of the corrective action, considering the seriousness of the violation, any possible harm to the residents, and the extent and complexity of the corrective action.
- f) When the Department rejects a submitted plan of correction, it shall notify the facility. The notice of rejection shall be in writing and shall specify the REASON FOR THE REJECTION. THE FACILITY SHALL HAVE TEN DAYS AFTER RECEIPT OF THE NOTICE OF REJECTION IN WHICH TO SUBMIT A MODIFIED PLAN. (Section 3-303(b) of the Act)
- g) If a facility fails to submit a plan or modified plan meeting the criteria in subsection (c) within the prescribed time periods in subsection (a) or subsection (d), or anytime the Department issues a Type A or repeat B violation, AN APPROVED PLAN OF CORRECTION WILL BE IMPOSED BY THE DEPARTMENT. (~~Section 3-303(b) of the Act~~) an approved plan of correction will be imposed by the Department.
- h) The Department shall verify the completion of the correction action required by the plan of correction within the specified time period during subsequent investigations, surveys and evaluations of the facility.

(Source: Amended at 17 Ill. Reg. _____, effective _____)

Section 300.290

Quarterly List of Violators

- a) THE DEPARTMENT SHALL PREPARE ON A QUARTERLY BASIS A LIST CONTAINING THE NAMES AND ADDRESSES OF ALL FACILITIES AGAINST WHICH THE DEPARTMENT DURING THE PREVIOUS QUARTER HAS:

- 1) Issued a NOTICE OF PENALTY ASSESSMENT for a level A violation as provided in Section 300.286 of this Part and Section 3-305(1) of the Act
- 2) Issued a NOTICE OF REVOCATION of the facility's license as provided in

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Section 300.180 of this Part and Section 3-119 of the Act.

- 3) Issued a NOTICE REFUSING RENEWAL of the facility's license as provided in Section 300.175 of this Part and Section 3-119 of the Act.
- 4) Issued a NOTICE TO SUSPEND the facility's license as provided in Section 3-119 of the Act.
- 5) ISSUED A CONDITIONAL LICENSE to the facility based on violations which were not corrected as provided in Section 300.260 of this Part and Section 3-313 of the Act, except where the terms of the conditional license have been stayed pursuant to Section 300.260(d).
- 6) PLACED A MONITOR ~~IN THE FACILITY~~ in the facility as provided in Section 300.270 of this Part and Section 3-501 of the Act for one of the following reasons:
 - A) The facility is operating without a license.
 - B) The Department has revoked or refused to renew the license of the facility.
 - C) The facility is closing or has informed the Department that it intends to close and adequate arrangements for relocation of residents have not been made at least 30 days prior to closure.
 - D) The Department determines that an emergency exists and HAS ISSUED A NOTICE OF REVOCATION OR NONRENEWAL against the facility's license.
- 7) INITIATED AN ACTION TO APPOINT A RECEIVER.
- 8) RECOMMENDED TO THE DIRECTOR OF THE DEPARTMENT OF PUBLIC AID, OR THE SECRETARY OF THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, THE DECERTIFICATION FOR VIOLATIONS IN RELATION TO PATIENT CARE OF A FACILITY PURSUANT TO TITLES XVIII AND XIX OF THE FEDERAL SOCIAL SECURITY ACT (42 U.S.C. 1395 et seq. and 1396 et seq.). (Section 3-304(a) of the Act)
- b) IN ADDITION TO THE NAME AND ADDRESS OF THE FACILITY, THE LIST SHALL INCLUDE THE NAME AND ADDRESS OF THE PERSON OR LICENSEE AGAINST WHOM THE ACTION HAS BEEN INITIATED, A SELF.

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EXPLANATORY SUMMARY OF THE FACTS WHICH WARRANTED THE INITIATION OF EACH ACTION, THE TYPE OF ACTION INITIATED, THE DATE OF THE INITIATION OF THE ACTION, THE AMOUNT OF THE PENALTY SOUGHT TO BE ASSESSED, IF ANY, AND THE FINAL DISPOSITION OF THE ACTION, IF COMPLETED. (Section 3-304(b) of the Act)

(Source: Amended at 17 Ill. Reg. _____, effective _____)

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- 1) Heading of the Part: Community Care Program
- 2) Code Citation: 89 Ill. Adm. Code 240
- 3) Section Numbers: Adopted Action:
- | | |
|----------|-----------|
| 240.1510 | Amendment |
| 240.1520 | Amendment |
| 240.1530 | Amendment |
| 240.1535 | Amendment |
| 240.1540 | Amendment |
| 240.1545 | Amendment |
| 240.1550 | Amendment |
| 240.1555 | Amendment |
| 240.1560 | Amendment |
| 240.1565 | Amendment |
| 240.1570 | Amendment |
| 240.1575 | Amendment |
| 240.1580 | Amendment |
| 240.1590 | Amendment |
| 240.1800 | Amendment |
| 240.1850 | Repealed |
| 240.2020 | Amendment |
| 240.2050 | Amendment |
- 4) Statutory Authority: Ill. Rev. Stat. 1991, ch. 23, Sections 6104.01(4), (9), (11), and (12); 6104.02; 6104.03; and 6105.02 [20 ILCS 105/4.01(4)(9)(11) and (12); 4.02; 4.03; and 5.02]
- 5) Effective Date of Amendments: April 7, 1993
- 6) Does this rulemaking contain an automatic repeal date?
Yes ☒ No ☐
- 7) Do these amendments contain incorporations by reference? Yes
- 8) Date Filed in Agency's Principal Office: April 1, 1993
- 9) Notice of Proposal Published in Illinois Register:
October 9, 1992: 16 Ill. Reg. 15203
(issue date)
- 10) Has JCAR issued a Statement of Objections to these amendments? No

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11) Differences between proposal and final version:

The following changes have been made between proposal and final version of this rulemaking:

TABLE OF CONTENTS:

Section 240.1560

the words "Positions," and "and Responsibilities" have been deleted from the Section Title.

Section 240.1645

the word "Determination" has been added and inserted immediately following the word "Action".

AUTHORITY NOTE:

"[20 ILCS 105/4.02 and 4.01(1)]" has been added and inserted immediately following "6104.01(1)".

MAIN SOURCE NOTE:

the main source note has been updated after the "emergency rule added at 16 Ill. Reg. 12615, effective July 23, 1992, for a maximum of 150 days;" entry to include: "modified at 16 Ill. Reg. 16680; amended at 16 Ill. Reg. 14565, effective September 8, 1992; amended at 16 Ill. Reg. 18767, effective November 27, 1992; amended at 17 Ill. Reg. 224, effective December 29, 1992; amended at 17 Ill. Reg. 6090, effective April 1, 1993."

Section 240.1510:

Subsection 240.1510(d):

the words "specified wage" immediately following the words "description a" and immediately before the words "and the agency" have been deleted and the words "wage range" have been added and inserted in their place.

Subsection 240.1510(d)(1):

has been deleted and the following added and inserted in its place:

Each employee is provided a written job

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description which applies to his/her job category.

Subsection 240.1510(d)(2):

the words "Each employee receives" immediately before the word "a" have been deleted.

the word "a" immediately before the word "copy" has been capitalized.

the phrase "at the time of employment and any subsequent revisions" immediately following the word "category" has been deleted and the phrase "shall be available to all employees" has been added and inserted in its place.

Subsection 240.1510(d)(3):

the word "range" has been added and inserted immediately following the word "wage" and immediately before the word "for".

Subsection 240.1510(d)(5)(C):

the words "addition to" immediately following the words "is in" and immediately before the word "Department" have been deleted and the words "accordance with" have been added and inserted in their place.

Subsection 240.1510(d)(5)(D):

the second sentence of the subsection has been deleted.

Subsection 240.1510(e):

has been deleted and the following added and inserted in its place:

Observance of policies and procedures to control the spread of infectious diseases.

Subsection 240.1510(f):

the number "3" immediately following the word "of" and immediately before the word "years" has been deleted and the number "5" has been added and inserted in its

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place.

the phrase ", or from the date of client termination from services whichever comes first." immediately following the word "Department" has been deleted.

Section 240.1520:

Subsection 240.1520(b):

the phrase "in the provider's file" immediately following the word "available," has been deleted and the phrase "to the Department upon request" has been added and inserted in its place.

the right parens in the phrase "(The policies or current letters documenting all insurance coverage shall be available to the Department upon request.)" in the second sentence of the subsection has been deleted and reinstated immediately following the period ".".

Subsection 240.1520(c)(1):

a comma "," has been added and inserted immediately following the words "employees' coverage".

the parenthesis around the phrase "especially coverage for volunteer drivers/escorts" have been deleted.

the word "especially" immediately following the words "employees' coverage" and immediately before the words "coverage for" has been deleted and the word "including" has been added and inserted in its place.

the word "and" has been added and inserted immediately following the semicolon ";".

Subsection 240.1520(c)(2):

has been deleted.

Subsection 240.1520(c)(3):

has been amended to subsection (c)(2).

the words "private automobiles or" immediately following the word "in" and immediately before the word

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"agency" has been deleted.

Subsection 240.1520(d):

the letter "s" on the word "state" immediately following the word "local" and immediately before the word "and" has been capitalized.

the letter "f" on the word "federal" immediately following the word "and" and immediately before the word "laws," has been capitalized.

Subsection 240.1520(e):

the period "." immediately following "(CCU)" has been deleted and a comma "," has been added and inserted in its place.

the phrase "with the following exceptions:" has been added and inserted immediately following "(CCU)".

Subsection 240.1520(e)(1):

has been deleted and the following has been added and inserted in its place:

The client does not meet the Adult Day Care Center's admission criteria.

Subsection 240.1520(e)(2):

has been deleted and the following has been added and inserted in its place:

The plan of care is determined to be inappropriate in the professional judgement of the provider.

A) The provider shall immediately notify the CCU of the provider's assessment and evaluation of the situation.

B) The provider and the CCU shall work together to determine if a plan of care that adequately meets the client's needs can be developed.

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- C) In the event the provider and the CCU cannot reach an agreement, the Department shall be contacted and shall determine the final resolution.

Subsection 240.1520(e)(3):

has been deleted and the following has been added and inserted in its place:

The provider is unable to accept all CCP referrals.

- A) The provider shall request a cap on the number of clients served (service cap), in writing, to the Department.
- B) Upon approval of the request, the provider assumes responsibility for managing intake to maintain the cap.
- C) The Department will not approve a service cap for a contractor which is the only provider of chore-housekeeping or homemaker services in the contract area.

Subsection 240.1520(f):

the letter "s" on the word "providers" immediately following the word "A" and immediately before the words "shall not" has been deleted.

the phrase "change the provision of service" immediately following the words "shall not" and immediately before the word "without" has been deleted and the phrase "deviate from the client's plan of care" has been added and inserted in its place.

Subsection 240.1520(i)(1):

the phrase "except as noted in subsection (i)(3) below" has been added and inserted immediately following the word "care".

the period "." immediately following the word "rate" has been deleted.

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the letter "R" in the word "Refer" immediately following "rate (" has been amended to a lower case "r".

a period "." has been added and inserted immediately following "240.870)".

Subsection 240.1520(i)(5):

has been deleted.

Subsection 240.1520(j):

has been deleted.

Subsection 240.1520(k):

has been amended to subsection (j).

Subsection 240.1520(l):

has been amended to subsection (k).

Subsection 240.1520(m):

has been amended to subsection (l).

the words "verbally or" have been added and inserted in the first sentence of the subsection immediately following the word "respond" and immediately before the words "in writing".

the letter "R" in the word "Refer" immediately following the last sentence of the subsection has been amended to a lower case "r".

Subsection 240.1520(n):

has been amended to subsection (m).

the phrase "except as noted in subsection (i)(3) above" has been added and inserted in the third sentence of the subsection immediately following the word "rate".

Subsection 240.1520(o):

has been amended to subsection (n).

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hyphens "--" have been added and inserted in the second sentence of the subsection immediately following the word "agency" and immediately following the word "provider".

Subsection 240.1520(p):

has been amended to subsection (o).

the period "." immediately following the word "above" has been deleted.

the letter "R" in the word "Refer" immediately following "above (" has been amended to a lower case "r".

a period "." has been added and inserted into the second sentence of the subsection immediately following "240.935)".

Subsection 240.1520(q):

has been deleted.

Subsection 240.1520(r):

has been amended to subsection (p).

the first sentence of the subsection has been deleted.

Subsection 240.1520(s):

has been amended to subsection (q).

Subsection 240.1520(q)(1)(a):

has been amended to subsection (q)(1)(A).

Subsection 240.1520(q)(1)(b):

has been amended to subsection (q)(1)(B).

Subsection 240.1520(q)(3):

has been deleted.

Section 240.1530:

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Subsection 240.1530(a):

the phrase "There shall be" immediately before the word "a" has been deleted and the word "a" immediately before the word "designated" has been capitalized "A".

Subsection 240.1530(b):

the phrase "There shall be" in the first sentence of the subsection immediately before the word "qualified" has been deleted and the letter "q" on the word "qualified" has been capitalized.

the word "will" in the second sentence immediately following the word "Department" and immediately before the word "look" has been deleted and the word "shall" has been added and inserted in its place.

Subsection 240.1530(c)(2):

the word "Supervision" immediately before the words "of workers" has been amended to "Supervising".

the words "which is to" immediately following the word "workers" and immediately before the words "be accomplished" have been deleted and the word "shall" has been added and inserted in their place.

Section 240.1535:

Subsection 240.1535(a)(1)(B):

the word "calendars" immediately following the word "service" has been deleted and the word "reports" has been added and inserted in its place.

Subsection 240.1535(a)(1)(D):

the words "on-site home visits" immediately following the words "homemaker or" have been deleted and the words "in-home visits" have been added and inserted in their place.

Subsection 240.1535(a)(1)(F):

the words "annual evaluation of" immediately before the word "each" have been deleted and the word "evaluating"

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has been added and inserted in their place.

the word "annually" has been added and inserted immediately following the word "homemaker".

Subsection 240.1535(a)(1)(H):

the phrase "client served by the homemaker" immediately following the word "each" has been deleted and the words "assigned homemaker" have been reinstated.

Subsection 240.1535(a)(1)(J):

the words "initiating and/or" have been added and inserted immediately before the word "participating".

Subsection 240.1535(a)(2)(B):

has been deleted and the following has been added and inserted in its place:

combination of skills and experience which indicate that the applicant has the ability to perform the supervisory activities

Subsection 240.1535(b)(2)(E)(ii):

", MD" has been added and inserted immediately following "LPN".

Subsection 240.1535(b)(2)(E)(iii):

"240.1535" immediately following the word "subsection" and immediately before "(b)(2)(E)(ii)" has been deleted.

Section 240.1540:

Subsection 240.1540(a):

the phrase "There shall be" immediately before the word "designated" has been deleted and the word "A" has been added and inserted in its place.

Subsection 240.1540(b):

the phrase "There shall be" immediately before the word

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"qualified" has been deleted and the letter "q" on the word "qualified" has been capitalized.

the word "will" immediately following the word "Department" and immediately before the word "look" has been deleted and the word "shall" has been inserted in its place.

Subsection 240.1540(c)(2):

the word "Supervision" immediately before the words "of workers" has been amended to "Supervising".

the words "which is to" immediately following the word "workers" and immediately before the words "be accomplished" have been deleted and the word "shall" has been added and inserted in their place.

Subsection 240.1540(d):

a hyphen "-" has been added and inserted immediately following "sub" and immediately before the word "contract".

Section 240.1545:

Subsection 240.1545(a)(1)(B):

the word "calendars" immediately following the word "service" has been deleted and the word "reports" has been added and inserted in its place.

Subsection 240.1545(a)(1)(D):

the words "on-site home visits" immediately following the words "chore-housekeeper or" have been deleted and the words "in-home visits" have been added and inserted in their place.

Subsection 240.1545(a)(1)(F):

the words "annual evaluation of" immediately before the word "each" have been deleted and the word "evaluating" has been added and inserted in their place.

a hyphen "-" has been added and inserted immediately following the word "chore" and immediately before the

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word "housekeeper".

the word "annually" has been added and inserted immediately following the word "chorehousekeeper".

Subsection 240.1545(a)(1)(H):

the phrase "client served by the chore-housekeeper" immediately following the word "each" has been deleted and the words "assigned chore-housekeeper" have been reinstated.

Subsection 240.1545(a)(1)(J):

the words "initiating and/or" have been added and inserted immediately before the word "participating".

Subsection 240.1545(a)(2)(B):

has been deleted and the following has been added and inserted:

combination of skills and experience which indicate that the applicant has the ability to perform the supervisory activities

Subsection 240.1545(b)(2)(F)(ii):

", MD" has been added and inserted immediately following "LPN".

Subsection 240.1545(b)(2)(F)(iii):

"240.1545" immediately following the word "subsection" and immediately before "(ii)" has been deleted.

Section 240.1550:

Subsection 240.1550(a):

the phrase "copies of such or" has been added and inserted in the second sentence of the subsection immediately following the words "insurance or" and immediately before the word "current".

Subsection 240.1550(c)(3)(A):

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the word "a" immediately following the word "by" and immediately before the word "licensed" has been deleted and the words "an appropriately" have been added and inserted in its place.

Subsection 240.1550(c)(3)(B):

the slash "/" immediately following the word "order" and immediately before the word "the" has been deleted and the word "or" has been added and inserted in its place.

the phrase "and/or the Adult Day Care plan of care by the program nurse" has been added and inserted immediately following the word "care".

Subsection 240.1550(c)(3)(C):

the phrase "administered by the ADC staff" has been added and inserted immediately following the word "medications" and immediately before "(prescription)".

Subsection 240.1550(d)(3)(A)(i):

", amended (1991)" has been deleted.

Subsection 240.1550(d)(3)(A)(iii) (deleted):

"Fire Prevention and
Safety (41 Ill.
Adm. Code 100)"

Office of State
Fire Marshall

has been reinstated.

Subsection 240.1550(d)(3)(A)(iii):

has been amended to subsection (d)(3)(A)(iv).

", as amended (1991)" has been deleted and "Ill. Rev. Stat. 1991, ch. 95 1/2, par. 1-100 et seq.) [625 ILCS 5/1-100 et seq.]" has been added and inserted in its place.

Subsection 240.1550(d)(3)(A)(iv):

has been amended to subsection (d)(3)(A)(v).

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"(1991)" immediately following the word "Sanitation" has been deleted.

Subsection 240.1550(d)(3)(A)(v):

has been amended to subsection (d)(3)(A)(vi).

"[775 ILCS 5/1-101 et seq.]" has been added and inserted immediately following "et seq.).".

Subsection 240.1550(d)(3)(B)(i):

"1985" immediately following the word "Code," has been reinstated and "1988" deleted.

Subsection 240.1550(d)(4):

"240.1550" in the first sentence of the subsection immediately following the word "subsection" and immediately before "(d)(3)" has been deleted.

"(A)(iii)" has been deleted immediately following "(d)(3)".

"(B)(i) above" has been added and inserted immediately following "(d)(3)".

Subsection 240.1550(d)(10):

"240.1550" in the first sentence of the subsection immediately following the word "subsection" and immediately before "(d)(9)" has been deleted.

the phrase "or when a microwave oven is in use." in the first sentence of the subsection immediately following the word "above" has been deleted.

a period "." has been added and inserted immediately following the word "above".

the second sentence of the subsection has been deleted.

the word "other" in the third sentence of the subsection immediately following the word "in" and immediately before the word "areas" has been deleted.

the phrase "or where a microwave is in use" has been

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added and inserted in the third sentence of the subsection immediately following the word "stored" and immediately before the word "unless".

Subsection 240.1550(d)(14):

the words "in the" immediately following the word "be" and immediately before the word "client" have been deleted and the words "immediately accessible to allocated" has been added and inserted in their place.

the letter "s" has been added to the word "area" immediately following the word "activity".

Subsection 240.1550(e)(1):

the word "special" in the third sentence of the subsection immediately following the word "provide" and immediately before the word "diets" has been deleted and the word "modified" has been added and inserted in its place.

Subsection 240.1550(e)(2)(D):

the period "." at the end of the first sentence of the subsection immediately following the word "allowances" has been deleted.

the letter "R" in the word "Refer" immediately following the word "allowances" has been amended to a lower case "r".

"240.1550" immediately following the word "subsection" and immediately before "(d)(3)(B)(ii)" has been deleted.

Subsection 240.1550(e)(2)(E):

a comma "," has been added and inserted immediately following the word "site" and immediately following the word "foods".

Subsection 240.1550(e)(2)(G):

a comma "," has been added and inserted immediately following the word "Fahrenheit" and immediately following the word "above".

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Subsection 240.1550(e) (2) (H):

a comma "," has been added and inserted immediately following the words "Fahrenheit", "above" and "below".

Subsection 240.1550(e) (2) (I):

a comma "," has been added and inserted immediately following the word "Fahrenheit".

Section 240.1555

Subsection 240.1555(a):

the number "29" immediately following the word "site" and immediately before the word "to" has been deleted.

Subsection 240.1555(a) (1):

has been deleted and the phrase "program and fiscal administration" has been added and inserted in its place.

Subsection 240.1555(a) (2):

the phrase "and dispensing medications if appropriate" immediately following the word "services" has been deleted.

Subsection 240.1555(a) (7):

the word "and" immediately following the semicolon ";" has been deleted.

Subsection 240.1555(a) (8):

the period "." has been deleted and a semicolon ";" has been added and inserted in its place.

Subsection 240.1555(a) (9):

has been added and inserted immediately following subsection (a) (8) and reads as follows:

development, implementation and quarterly review of individualized plans of care;

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Subsection 240.1555(a) (10):

has been added and inserted immediately following subsection (a) (9) and reads as follows:

program, evaluation and marketing;

Subsection 240.1555(a) (11):

has been added and inserted immediately following subsection (a) (10) and reads as follows:

supervision and evaluation of staff; and

Subsection 240.1555(a) (12):

has been added and inserted immediately following subsection (a) (11) and reads as follows:

monitoring and meeting staff training needs.

Subsection 240.1555(b):

has been deleted.

Subsection 240.1555(c):

has been amended to subsection (b).

a comma "," has been added and inserted immediately following the words "substitutes)", "staff" and "site". the words "to clients," immediately following the word "site" and immediately before the word "when" has been reinstated.

Subsection 240.1555(c) (1):

has been incorporated into subsection (b).

the phrase "Ratio of full-time of FTE staff to clients:" has been deleted.

Subsection 240.1555(c) (2):

has been amended to subsection (b) (1).

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Subsection 240.1555(c)(3):

has been amended to subsection (b)(2).

Subsection 240.1555(b)(3):

has been added and inserted immediately following subsection (b)(2) and reads as follows:

Exceptions from the mandated ratio of staff to clients can be made only with prior Department approval.

Subsection 240.1555(d):

has been amended to subsection (c).

Subsection 240.1555(d)(1):

has been amended to subsection (c)(1).

the word "training" has been added and inserted in the first sentence of the subsection immediately following the words "face-to-face" and immediately before the word "within".

the phrase "A worker may be exempted from" has been added and inserted in the second sentence of the subsection immediately before the word "Initial".

the letter "I" in the word "Initial" in the second sentence of the subsection has been amended to a lower case "i".

the words "may be exempt" in the second sentence of the subsection immediately following the words "initial training" and immediately before the word "if" has been deleted and the words "by the provider" has been added and inserted in their place.

the word "a" in the second sentence of the subsection immediately following the word "if" and immediately before the word "worker" has been deleted and the word "the" has been added and inserted in its place.

the phrase "equivalent to 12 hours" has been added and inserted in the second sentence of the subsection

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immediately following the words "documented training" and immediately before ", with".

the phrase ", equivalent to 12 hours" in the second sentence of the subsection immediately following the word "employment" and immediately before the words "or holds" has been deleted.

a period "." has been added and inserted immediately following "A" in the initials "C.N.A.".

the comma "," immediately following "B.S.W." has been deleted.

the letter "s" on the word "degrees" in the second sentence of the subsection immediately following the word "higher" has been deleted.

Subsection 240.1555(d)(2):

has been amended to subsection (c)(2).

the words "face-to-face" in the first sentence of the subsection immediately following the word "hours" and immediately before the word "per" have been deleted and the words "continuing education" have been added and inserted in their place.

the word "calendar" in the first sentence of the subsection immediately following the word "per" and immediately before the word "year" has been deleted.

the phrase "quarter of in-service training" in the first sentence of the subsection immediately following the word "year" and immediately before the word "shall" has been deleted.

the phrase "worker is exempted from" has been added and inserted in the second sentence of the subsection immediately following the words "when the" and immediately before the word "initial".

the phrase "is exempt for previous documented and supervised training" in the second sentence of the subsection immediately following the words "initial training" has been deleted.

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"240.1555" in the second sentence of the subsection immediately following the word "subsection" and immediately before "(1)" has been deleted.

"(c)" has been added and inserted in the second sentence of the subsection immediately following the word "subsection" and immediately before "(1)".

Section 240.1560:

Subsection 240.1560(a)(1)(A)(ii):

the word "work" in the first sentence of the subsection immediately following the word "of" and immediately before the word "experience" has been deleted and the words "progressively responsible supervisory" have been added and inserted in its place.

the following phrase:

or demonstrate continual progress towards meeting the educational requirements by current registration and evidence of successful completion of course work in an accredited junior college, college or university for at least 2 semesters (or 3 quarters) of each academic year.

in the first sentence of the subsection immediately following "4)" has been deleted and the phrase "in the disciplines defined in subsection (a)(1)(A)(i) above." has been added and inserted in its place.

the third sentence of the subsection has been deleted.

Subsection 240.1560(a)(1)(B):

has been deleted.

Subsection 240.1560(a)(1)(C):

has been amended to subsection (a)(1)(B).

Subsection 240.1560(a)(2):

the phrase "meet the following qualifications:" has been added and inserted immediately following the word

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"shall".

Subsection 240.1560(a)(2)(A):

has been deleted.

Subsection 240.1560(a)(2)(A)(i):

has been amended to subsection (a)(2)(A).

a comma ", " has been added and inserted immediately following the word "services" and the word "sciences".

Subsection 240.1560(a)(2)(A)(ii):

has been amended to subsection (a)(2)(B).

Subsection 240.1560(a)(2)(A)(iii):

has been amended to subsection (a)(2)(C).

the word "work" in the first sentence of the subsection immediately following the word "of" and immediately before the word "experience" has been deleted and the words "progressively responsible supervisory" have been added and inserted in its place.

the following phrase:

or demonstrate continual progress toward meeting the educational requirements by current registration and evidence of successful completion of course work in an accredited junior college, college, or university for at least 2 semesters (or 3 quarters) of each academic year.

in the first sentence of the subsection immediately following "4)" has been deleted and the phrase "in the disciplines defined in subsection (a)(2)(A) above." has been added and inserted in its place.

the third sentence of the subsection has been deleted in its entirety.

Subsection 240.1560(a)(2)(B):

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has been deleted.

Subsection 240.1560(a)(3):

the word "shall" immediately following the word "nurses" has been deleted.

Subsection 240.1560(a)(3)(A):

has been amended to subsection (a)(3)(A)(i).

the phrase "A program nurse shall:" has been added and inserted as subsection (a)(3)(A).

Subsection 240.1560(a)(3)(B):

has been amended to subsection (a)(3)(A)(ii).

Subsection 240.1560(a)(3)(C):

has been deleted and the following added and inserted in its place as subsection (a)(3)(A)(iii):

be on duty at least one-half of a full-time (FTE) work period when clients are in attendance, either as staff or on a contractual basis.

Subsection 240.1560(a)(3)(D):

has been amended to subsection (a)(3)(B).

the phrase "With written Department approval," has been added and inserted in the first sentence of the subsection immediately before the word "The".

the letter "T" in the word "The" in the first sentence of the subsection has been amended to a lower case "t".

a hyphen "-" has been added and inserted immediately following the word "full" and immediately before the word "time" in the second sentence of the subsection.

the word "and" has been added and inserted immediately following the word "time," and immediately before the word "must".

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Subsection 240.1560(a)(4):

"[625 ILCS 5/1-100 et seq.] has been added and inserted immediately following "et seq.)".

Subsection 240.1560(a)(5):

has been deleted and the following added and inserted in its place:

5) Nutrition Staff:

A) Nutrition staff shall include:

i) at least one staff person who meets the Food Service Sanitation guidelines issued by the Department of Public Health.

ii) a Nutrition Consultant/Dietitian, either paid or in-kind, who shall be a registered member of the American Dietetic Association with experience in an agency setting; and approve menus for adult day care providers to meet requirements stated in subsection (B) below.

B) The nutrition staff is responsible for providing daily meals meeting requirements specified in Section 240.230(a)(5).

Subsection 240.1560(b):

the phrase "and have the specified responsibilities" immediately following the word "qualifications" has been deleted.

Subsection 240.1560(b)(1):

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the letter "S" on the word "Social" immediately following the word "A" and immediately before the word "Service" has been amended to a lower case "s".

the letter "S" on the word "Service" immediately following the word "social" and immediately before the word "Worker" has been amended to a lower case "s".

the letter "W" on the word "Worker" immediately following the word "service" and immediately before the word "shall" has been amended to a lower case "w".

the phrase "be under the direction of the Program Coordinator/Director and shall:" immediately following the word "shall" has been deleted.

a colon ":" has been added and inserted immediately following the word "shall".

Subsection 240.1560(b)(1)(A):

has been amended to subsection (b)(1)(B).

the following has been added and inserted as subsection (b)(1)(A):

be under the direction of the Program Coordinator/Director;

Subsection 240.1560(b)(1)(B):

has been deleted.

Subsection 240.1560(b)(2):

the letter "A" in the word "Aides" immediately following the word "Program" and immediately before the word "shall" has been amended to a lower case "a".

the following has been added and inserted immediately following the word "shall":

have a high school diploma or general education diploma, or 2 years of prior documented experience working in programs for the elderly, or demonstrate continued progress towards meeting the educational

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requirement of a general education diploma by current registration and evidence of successful completion of course work (successful completion means achievement of a grade or "C" or higher)."

the colon ":" has been deleted immediately following the word "shall".

Subsections 240.1560(b)(2)(A) and (B):

have been deleted.

Subsection 240.1560(b)(3):

the phrase "be a Medical Doctor (M.D.) licensed to practice medicine by the State of Illinois." has been added and inserted immediately following the word "shall".

the colon ":" has been deleted immediately following the word "shall".

Subsections 240.1560(b)(3)(A) and (B):

have been deleted.

Subsection 240.1560(b)(4)(B):

the semicolon ";" immediately following the word "Illinois" has been deleted and a period "." has been added and inserted in its place.

Subsection 240.1560(b)(4)(C):

has been deleted.

Subsection 240.1560(c):

the words "and to" immediately following the word "positions" and immediately before the word "volunteers" have been deleted and the words "and/or regularly scheduled" have been added and inserted in their place.

Subsection 240.1560(c)(3):

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the word "and" has been added and inserted immediately following the word "program" and immediately before "special".

the comma "," immediately following the word "program" and immediately before the word "special" has been deleted.

the phrase ", and an assurance of freedom from communicable disease" immediately following the word "skills" has been deleted.

Subsection 240.1560(c)(4):

"240.1560" immediately following the word "subsection" and immediately before "(c)(1)" has been deleted.

Section 240.1565:

Subsection 240.1565(a):

the letter "R" in the word "Refer" in the first sentence of the subsection immediately following "maximum)(" and immediately before the words "to Section" has been amended to a lower case "r".

the right parens in the phrase "(refer to Section 240.1550.)" in the first sentence of the subsection has been deleted and reinstated immediately following the period ".".

Subsection 240.1565(c):

has been amended to subsection (d).

the following has been added and inserted as subsection (c):

The provider shall notify the Department when the provision of service will begin at the satellite site. The site will be granted a contract based on the provider's assurances.

Subsections 240.1565(d)(A) and (B):

have been deleted.

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Section 240.1570:

Subsection 240.1570(a):

the words "adult day care" have been reinstated immediately following "(CCP)" and immediately before the word "client" and immediately following "CCP" and immediately before the word "services".

Subsection 240.1570(a)(3)(A):

the letter "s" on the word "providers" has been deleted.

Subsection 240.1570(a)(4):

the words "is able" immediately following the word "area" and immediately before the words "to provide" have been deleted and the word "agrees" has been added and inserted in their place.

Subsection 240.1570(b):

the following has been added and inserted as subsection (b):

- b) A Community Care Program (CCP) in-home care client may be allowed access to CCP in-home care services in a service area in which the client does not reside (outlying service area) upon receipt of written approval to the Case Coordination Unit (CCU) from the Department under the following circumstances:

- 1) The CCU has determined that the special needs of the client (e.g., language specific workers) can only be met by a CCP authorized provider in another service area; and,
- 2) The CCP authorized provider in the outlying area agrees to

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provide the service required without delays/interruptions to the referred client; and,

- 3) The CCP authorized provider(s) in the client's area of residence are unable to meet the special needs of the client without delays/interruptions.

Subsection 240.1570(b):

has been amended to subsection (c).

the phrase "from a provider" has been added and inserted in the first sentence of the subsection immediately following the word "services" and immediately before the words "in an outlying".

Subsection 240.1570(c):

has been amended to subsection (d).

Section 240.1575:

Subsections 240.1575(a)(1)(2) and (3):

have been deleted.

Subsection 240.1575(b):

has been amended to Section 240.1575.

Subsection 240.1575(b)(1):

has been amended to subsection (a).

Subsection 240.1575(b)(1)(A):

has been amended to subsection (a)(1).

"240.1575(B)(i)" immediately following the words "subsections" and immediately before the word "and" has been deleted and "(a)(2)(A)" has been added and inserted in its place.

"240.1575(B)(ii)" immediately following the word "and"

and immediately before the word "below" has been deleted and "(a)(2)(B)" has been added and inserted in its place.

Subsection 240.1575(b)(1)(B):

has been amended to subsection (a)(2).

Subsection 240.1575(b)(1)(B)(i):

has been amended to subsection (a)(2)(A).

Subsection 240.1575(b)(1)(B)(ii):

has been amended to subsection (a)(2)(B).

Subsection 240.1575(b)(1)(B)(iii):

has been amended to subsection (a)(2)(C).

Subsection 240.1575(a)(3):

has been added and inserted immediately following subsection (a)(2)(C) as follows:

Upon receipt and approval of the letter of intent to relocate, the Department shall issue a temporary authorization to provide service in the new location.

Subsection 240.1575(b)(1)(C):

has been amended to subsection (a)(4).

the word "Final" has been added and inserted immediately before the word "Approval".

the letter "A" in the word "Approval" immediately following the word "Final" and immediately before the word "of" has been amended to a lower case "a".

the phrase "the information required by the Department and the results of an" immediately following the word "upon" and immediately before the words "on-site" has been deleted.

Subsections 240.1575(b)(1)(C)(i) and (ii):

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have been deleted.

Subsection 240.1575(b) (2):

has been amended to subsection (b).

Section 240.1580:

Subsection 240.1580(e):

"240.1580" in the first sentence of the subsection immediately following the word "subsection" and immediately before "(c)" has been deleted.

Subsection 240.1580(h):

"AN ACT to require prompt payment by the State of Illinois for goods and services" immediately following the word "with" and immediately before "(ill." has been deleted and "the State Prompt Payments Act" has been added and inserted in its place.

"[30 ILCS 540/1 et seq.]" has been added and inserted immediately following "et seq.)".

Section 240.1590:

Subsection 240.1590(e):

the word "authorized" immediately following the words "to an" and immediately before the word "provider" and the word "agency" has been added and inserted in its place.

Subsection 240.1590(g):

the word "authorized" immediately following the words "to an" and immediately before the word "provider" and the word "agency" has been added and inserted in its place.

Subsection 240.1590(h):

the word "agency" has been added and inserted immediately following the words "provider and" and "services to" and immediately before the words "provide is" and "provider(s) for".

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Subsection 240.1590(j):

"AN ACT to require prompt payments by the State of Illinois for goods and services" immediately following the word "with" and immediately before "(ill." has been deleted and "the State Prompt Payments Act" has been added and inserted in its place.

"[30 ILCS 540/1 et seq.]" has been added and inserted immediately following "et seq.)".

Section 240.1800:

Subsection 240.1800(b) (3):

the words "homemaker, chore-housekeeping" immediately before the word ", adult" have been deleted and the words "equal in-home" have been added and inserted in their place.

the word "provider" has been added and inserted immediately following the word "unit" and the immediately before the word "representation".

a comma ", " has been added and inserted immediately following the word "representation".

the phrase "representatives from the service worker union," immediately following the words "as well as" and immediately before the word "and" has been deleted and the phrase "two in-home care direct service staff" has been added and inserted in its place.

the words "two representatives of" have been added and inserted immediately following the words "staff and" and immediately before the word "Area".

Subsection 240.1800(c):

has been deleted.

Subsection 240.1800(d):

has been amended to subsection (c).

Subsection 240.1800(e):

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has been amended to subsection (d).

Subsection 240.1800(f):

has been amended to subsection (e).

Subsection 240.1800(g):

has been amended to subsection (f).

Subsection 240.1800(h):

has been amended to subsection (g).

Subsection 240.1800(i):

has been amended to subsection (h).

Subsection 240.1800(j):

has been amended to subsection (i).

Section 240.2020:

Subsection 240.2020(c):

the second sentence of the subsection has been deleted.

Subsection 240.2020(d):

the letters "se" on the word "these" immediately following the word "of" and immediately before the word "reports" have been deleted.

the letter "s" has been deleted from the word "reports" immediately following the word "the" and immediately before the word "must".

Section 240.2050

Subsection 240.2050(a)(8):

a semicolon ";" has been added and inserted immediately following the word "reimbursement".

12) Have all changes agreed upon by the agency and JCAR been

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made as indicated in the agreement letter issued by JCAR?
Yes

13) Will these amendments replace emergency amendments currently in effect? No

14) Are there any proposed amendments pending on this Part? No

15) Section Numbers: Proposed Action: Illinois Register:

Summary and Purpose of Amendments:

These amendments incorporate changes which will allow the Department to reduce the administrative requirements on providers of Community Care Program services, and to streamline the advisory committee by combining the rate and policy advisory groups.

16) Information and questions regarding these adopted amendments shall be directed to:

Name:

Mary J. Mayes

Policy and Rules Analyst

Illinois Department on Aging

421 East Capitol Avenue

Springfield, IL 62701

(217) 782-4842

Address:

Telephone:

The full text of the Adopted Amendments begins on the next page:

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TITLE 89: SOCIAL SERVICES
CHAPTER II: DEPARTMENT ON AGING

PART 240

COMMUNITY CARE PROGRAM

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240.100 Community Care Program
240.110 Department Prerogative
240.120 Services Provided
240.130 Maintenance of Effort
240.140 Program Limitations
240.150 Completed Applications Prior to August 1, 1982 (Repealed)
240.160 Definitions

SUBPART B: SERVICE DEFINITIONS

Section

240.210 Homemaker Service
240.220 Chore-Housekeeping Service
240.230 Adult Day Care Service
240.240 Information and Referral
240.250 Demonstration/Research Projects
240.260 Case Management Service
240.270 Alternative Provider
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240.300 Applicant/Client Rights and Responsibilities
240.310 Right to Apply
240.320 Nondiscrimination
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240.340 Confidentiality/Safeguarding of Case Information
240.350 Applicant/Client/Authorized Representative Cooperation
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240.400 Appeals and Fair Hearings
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240.415

What May Be Appealed

240.420

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Informal Review Findings

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The Hearing

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Conduct of Hearings

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Continuance of the Hearing

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SUBPART E: APPLICATION

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240.510 Application for Community Care Program
240.520 Who May Make Application
240.530 Date of Application
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SUBPART F: ELIGIBILITY

Section

240.600 Eligibility Requirements
240.610 Establishing Eligibility
240.620 Home Visit
240.630 Determination of Eligibility
240.640 Eligibility Decision
240.650 Continuous Eligibility
240.655 Frequency of Redeterminations
240.660 Extension of Time Limit

SUBPART G: NON-FINANCIAL REQUIREMENTS

Section

240.710 Age
240.715 Determination of Need
240.720 Clients Prior to Effective Date of This Section (Repealed)
240.725 Clients After Effective Date of This Section (Repealed)
240.726 Emergency Budget Act Reduction (Repealed)
240.727 Minimum Score Requirements

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240.728	Maximum Payment Levels for Service	Section	Nursing Home Prescreening
240.729	Maximum Payment Levels for Adult Day Care Service	240.1010	Interim Services
240.730	Plan of Care	240.1020	Intense Service Provision
240.735	Supplemental Information	240.1040	Temporary Service Increase
240.740	Assessment of Need	240.1050	
240.750	Citizenship		SUBPART K: TRANSFERS
240.755	Residence	Section	Individual Transfer Request - Vendor to Vendor - No Change in Service
240.760	Furnishing of Social Security Number	240.1110	Individual Transfer Request - Vendor to Vendor - With Change in Service
		240.1120	Individual Transfers - Case Coordination Unit to Case Coordination Unit
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		Section	SUBPART L: ADMINISTRATIVE SERVICE CONTRACT
		240.1210	Administrative Service Contract
			SUBPART M: CASE COORDINATION UNITS AND VENDORS
		Section	Standard Contractual Requirements for Case Coordination Units and Vendors
		240.1310	Vendor or Case Coordination Unit Fraud/Illegal or Criminal Acts
		240.1320	General Vendor and CCU Responsibilities (Repealed)
		240.1330	Payment for Services (Repealed)
		240.1396	Purchases and Contracts (Repealed)
		240.1397	Safeguarding Case Information (Repealed)
		240.1398	Suspension/Termination of a Vendor or Case Coordination Unit (CCU)
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		Section	SUBPART N: CASE COORDINATION UNITS
		240.1400	Community Care Program Case Management
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			SUBPART J: SPECIAL SERVICES
		Section	Prohibition of Institutionalized Individuals From Receiving Community Care Program Services
		240.905	Written Notification
		240.910	Service Provision
		240.915	Reasons for Denial
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		240.925	Suspension of Services
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		240.935	Penalty Payments
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		240.945	Reasons for Termination
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240.1420 Case Coordination Unit Responsibilities
 240.1430 Case Management Staff Positions, Qualifications and Responsibilities
 240.1440 Training Requirements For Case Management Supervisors and Case Managers

SUBPART O: PROVIDERS/VENDORS

Section
 240.1510 Provider/Vendor Administrative Minimum Standards
 240.1520 Provider/Vendor Responsibilities
 240.1530 General Homemaker Staffing Requirements
 240.1535 Homemaker Staff Positions, Qualifications and Responsibilities
 240.1540 General Chore-Housekeeping Staffing Requirements
 240.1545 Chore-Housekeeping Staff Positions, Qualifications and Responsibilities
 240.1550 Standard Requirements for Adult Day Care Providers/Vendors
 240.1555 General Adult Day Care Staffing Requirements
 240.1560 Adult Day Care Staff Positions, Qualifications-and-Responsibilities
 240.1565 Adult Day Care Satellite Sites
 240.1570 ~~Adult Day Care~~ Service Availability Expansion
 240.1575 Adult Day Care Site Relocation
 240.1580 Standards for Alternative Providers
 240.1590 Standard Requirements for Individual Chore-Housekeeping Provider Services

SUBPART P: PROVIDER PROCUREMENT

Section
 240.1600 Provider Contract
 240.1605 Procuring Provider Services
 240.1610 Procurement Cycle for Provider Services
 240.1620 Issuance of Provider Proposal and Guidelines
 240.1625 Content of Provider Proposal and Guidelines
 240.1630 Criteria for Number of Provider Contracts Awarded
 240.1635 Evaluation of Provider Proposals
 240.1640 Determination and Notification of Provider Awards
 240.1645 Objection to Procurement Action Determination
 240.1650 Classification of Provider Service Violations
 240.1655 Method of Identification of Provider Service Violations
 240.1660 Compliance Reviews of Contracted Provider Agencies
 240.1661 Provider Right to Appeal
 240.1665 Contract Actions for Failure to Comply with Community Care Program Requirements

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SUBPART Q: CASE COORDINATION UNIT PROCUREMENT
 240.1710 Procurement Cycle For Case Management Services
 240.1720 Case Coordination Unit Compliance Review

SUBPART R: ADVISORY COMMITTEES

Section
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 240.1850

Community Care Program (CCP) Petty Advisory Committee
 Technical Rate Review Advisory Committee (Repealed)

SUBPART S: RATES

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 240.1920
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Establishment of Fixed Unit Rates
 Contract Specific Variations
 Fixed Unit Rates of Reimbursement for Chore-Housekeeping and Homemaker Services
 Fixed Unit Rates of Reimbursement for Adult Day Care Service and Transportation
 240.1950 Adult Day Care Fixed Unit Reimbursement Rates
 240.1960 Case Management Fixed Unit Reimbursement Rates

SUBPART T: FINANCIAL REPORTING

Section
 240.2020

Financial Reporting of Chore-Housekeeping and Homemaker Services

240.2030 Unallowable Costs for Chore-Housekeeping and Homemaker Services

240.2040 Minimum Direct Service Worker Costs for Chore-Housekeeping and Homemaker Services

240.2050 Cost Categories for Chore-Housekeeping and Homemaker Services

AUTHORITY: Implementing Section 4.02 and authorized by Section 4.01(1) of the Illinois Act on the Aging (Ill. Rev. Stat. 1991, ch. 23, pars. 6104.02 and 6104.01(1)) [20 ILCS 105/4.02 and 4.01(1)].

SOURCE: Emergency rules adopted at 4 Ill. Reg. 1, p. 67, effective December 20, 1979, for a maximum of 150 days; adopted at 4 Ill. Reg. 17, p. 151, effective April 25, 1980; amended at 4 Ill. Reg. 43, p. 86, effective October 15, 1980; emergency amendments at 5 Ill. Reg. 1900, effective February 18, 1981, for a maximum of 150 days; amended at 5 Ill. Reg. 12090, effective October 26, 1981; emergency amendments at 6 Ill. Reg. 8455, effective July 6, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 14953, effective

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December 1, 1982; amended at 7 Ill. Reg. 8697, effective July 20, 1983; codified at 8 Ill. Reg. 2633; amended at 9 Ill. Reg. 1739, effective January 29, 1985; amended at 9 Ill. Reg. 10208, effective July 1, 1985; emergency amendments at 9 Ill. Reg. 14011, effective August 29, 1985, for a maximum of 150 days; amended at 10 Ill. Reg. 5076, effective March 15, 1986; recodified at 12 Ill. Reg. 7980; amended at 13 Ill. Reg. 11193, effective July 1, 1989; emergency amendments at 13 Ill. Reg. 13638, effective August 18, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 17327, effective November 1, 1989; amended at 14 Ill. Reg. 1233, effective January 12, 1990; amended at 14 Ill. Reg. 10732, effective July 1, 1990; emergency amendments at 15 Ill. Reg. 2838 effective, February 1, 1991 for a maximum of 150 days; amended at 15 Ill. Reg. 10351, effective July 1, 1991; emergency amendments at 15 Ill. Reg. 14593, effective October 1, 1991, for a maximum of 150 days; emergency amendments at 15 Ill. Reg. 17398, effective November 15, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 18568, effective December 13, 1991; emergency amendments suspended at 16 Ill. Reg. 1744; emergency amendments at 16 Ill. Reg. 2630 effective February 1, 1992, for a maximum of 150 days; emergency amendments modified and reinstated at 16 Ill. Reg. 2943; emergency amendments at 16 Ill. Reg. 2901, effective February 6, 1992, to expire June 30, 1992; emergency amendments at 16 Ill. Reg. 4069, effective February 28, 1992, to expire June 30, 1992; amended at 16 Ill. Reg. 11403, effective June 30, 1992; emergency amendments at 16 Ill. Reg. 11625, effective July 1, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 11731, effective June 30, 1992; emergency rule added at 16 Ill. Reg. 12615, effective July 23, 1992, for a maximum of 150 days; modified at 16 Ill. Reg. 16680; amended at 16 Ill. Reg. 14565, effective September 8, 1992; amended at 16 Ill. Reg. 18767, effective November 27, 1992; amended at 17 Ill. Reg. 224, effective December 29, 1992; amended at 17 Ill. Reg. 6090, effective April 7, 1993.

NOTE: Bold faced type denotes statutory language.

SUBPART O: PROVIDER VENDORs

Section 240.1510 ProviderVendor Administrative Minimum Standards

The providervendor shall assure have and observe written policies approved by the governing authority and available for review by the Department/Department designees. Such policies shall minimally cover.

- a) Confidentiality of client records is maintained as

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required by Section 240.340.

- b) The type and amount of service is provided shall be provided in accordance with the Case Documentation for the Determination of Need and the Client Agreement - Plan of Care as developed and authorized designated by the Case Coordination Unit (CCU).
- c) Money handling activities management and budgeting related to necessary shopping/errand activities, including receipt procedures are and monitoring.
- d) ~~When more than one type of service is offered, there shall be a clear distinction of each type provided.~~
- e) Each job category has personnel policies, a job descriptions, and a wage range specified wage and the agency has scale for each job category. Personnel policies which shall include hours of work, benefits, and promotion and evaluation criteria.
 - 1) Each employee is provided a written job description which applies to his/her job category. There shall be a written job description for each job category for all paid and volunteer staff positions which are part of the service. A copy of a particular employee's specific job description shall be provided to the employee.
 - 2) Each employee shall receives a copy of current written personnel policies for his/her their specific job category shall be available to all employees at the time of employment and any subsequent revisions.
 - 3) Each employee shall be informed of the wage range scale for the specific job category at the time of employment and any subsequent revisions.
 - 4) Employee benefits and grievance procedures are shall be clearly stated in writing and shall comply with both State and Federal regulations.
 - 5) Personnel records are shall be maintained for each employee and shall include at least the following:
 - A) employee application;

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- B) annual performance evaluation;
- C) documentation of participation in initial training, in-service and other pertinent training, (orientation in agency policies) is shall be in accordance with addition to Department training required by Sections 240.1534530, 240.1545 and 240.1555+;
- D) Documentation of supervisory home and on-site visits, and office conferences and evaluations, should be filed in the employee's personnel file. Any employee problems which are related to client service are should also be documented in the client's file Case Record Recording Sheet.
- e) ~~Observance of policies and procedures to control the spread of infectious diseases.~~
- e) ~~All provider vendor staff having face to face contact with clients are free of communicable disease. shall provide to the vendor, written confirmation of a physical examination, including a tuberculosis test result, performed by an appropriately licensed professional within six (6) months prior to assignment on the job. Such confirmation shall either certify that the employee is in good health or that any illness or physical disability detected shall not present a risk to the client or prevent the employee from meeting the activities of the Client Agreement Plan of Care. Any staff not having this written confirmation shall not provide services to Community Care Program (CCP) clients.~~
- i) ~~Such certification shall be retained by the vendor in the personnel file of the employee.~~
- ii) ~~Recertification shall be required if a worker contracts a communicable disease following the initial certification.~~
- f) ~~Administrative and client records as required by the Department to substantiate services provided and vendor requests for payment. All Department required documentation to support units of service requested for reimbursement is on the Vendor Request for Payment form, Client Agreement Plan of Care, and Case Documentation~~

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~~for the Determination of Need shall be retained for a minimum of 53 five (5) years from the termination date of the provider's vendor's contract with the Department, or from the date of client termination from services whichever comes first.~~

(Source: Amended at 17 Ill. Reg. 6090, effective April 7, 1993)

Section 240.1520 ~~Provider Vendor~~ Responsibilities

- a) Community Care Program (CCP) services shall be purchased only from provider vendors determined capable and competent by the Department to provide such services, as described in Section 240.1635.
- b) In-home care provider vendors shall carry general public liability insurance in the single limit minimum amount of \$100,000 per occurrence. (The policies or current letters documenting all insurance coverage shall be available to the Department upon request in the provider's vendor's file.)
- c) In-home care provider vendors shall also carry the following insurance coverages:
- 1) volunteer protection equivalent to employees' coverage, (including especially coverage for volunteer drivers/escorts); and
 - 2) general liability; and
 - 23) motor vehicle liability, uninsured motorist, and medical payments comprehensive and collision, public liability and property damage, and medical coverage if staff transport clients in private automobiles or agency vehicles.
- d) All provider vendors providing of CCP services must comply with all applicable local, State and Federal laws, rules and regulations.
- e) A provider shall provide services to all CCP clients referred by the Case Coordination Unit (CCU), with the following exceptions:
- 1) The client does not meet the Adult Day Care Center's admission criteria.

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- 2) The plan of care is determined to be inappropriate in the professional judgement of the provider.
- A) The provider shall immediately notify the CCU of the provider's assessment and evaluation of the situation.
- B) The provider and the CCU shall work together to determine if a plan of care that adequately meets the client's needs can be developed.
- C) In the event the provider and the CCU cannot reach an agreement, the Department shall be contacted and shall determine the final resolution.
- 3) The provider is unable to accept all CCP referrals.
- A) The provider shall request a cap on the number of clients to be served (service cap) in writing to the Department.
- B) Upon approval of the request, the provider assumes responsibility for managing intake to maintain the cap.
- C) The Department will not approve a service cap for a contractor which is the only provider of chore-housekeeping or homemaker services in the contract area.
- 1) In the event the provider is unable or unwilling to accept all CCP referrals, the provider shall request a "service cap" in writing to the Department.
- 2) Upon approval of the request, the provider assumes responsibility for managing intake to maintain the cap.
- 3) The Department will not approve a "service cap" for a contractor which is the only provider of chore-housekeeping or homemaker services in the contract area.
- fe) A providersvender shall not change the provision of service deviate from the client's plan of care without

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- receipt of written instruction from the Department ~~only~~ the ~~Case-Coordination Unit (CCU)~~ on approved Department CCP forms, except in cases of emergency, client refusal of service, or client failure to be home to receive service. Any temporary change or ~~any temporary~~ deviation from the plan of care must be documented by the ~~provider~~ in vendor on the client's ~~file~~ Case-Record-Recording Sheet.
- gf) It shall be the responsibility of the provider to advise the CCU of any change in the client's physical/mental/environmental needs which the provider, through the direct service worker/supervisor, has observed, when such change would affect the client's eligibility or service level or would necessitate a change in the plan of care.
- hg) All ~~providersvenders~~ shall reply to requests by a client, by telephone or in writing, within ~~15~~ 15 calendar days from the date of the request. The request and the ~~response~~ resolution thereof shall be documented in ~~the client's file~~ the Case-Record-Recording Sheet.
- ih) The provider shall be responsible for the collection from the client of the incurred expense for care provided to the client in the following manner:
- 1) The provider is responsible for billing the clients for whom they provide CCP services once per month in the month following the provision of service, and in the manner prescribed by the Department. Such billings shall be based, for each client, upon the units of service provided and the fixed fee share rate for the client's incurred expense for care except as noted in subsection (i)(3) below.
- 2) ~~Providersvenders~~ shall not require clients to pay a greater share of the cost of services prescribed in the plan of care than required by the Client Agreement - Plan of Care.
- 3) For clients who are required, because of income, to pay for 100 percent of their services, charges for CCP services shall ~~not be more than the cost for~~ care based upon the units of service multiplied by the ~~provider's contracted fixed fee share rate~~ (Refer to see Section 240.870(a)(4)).

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4) If a client requests additional service from the provider, other than that allowed by the Client Agreement - Plan of Care, the Department will not be billed for the additional units of service of the cost of those additional units of service to the vendor.

5) ~~Providers must send a copy of a Notice of Appeal to Department on Aging form to the client with the initial billing.~~

~~6) Payment to a provider will be authorized in compliance with AN Act to require prompt payments by the State of Illinois for goods or services. (Ill. Rev. Stat. 1991-1987, ch. 127, pars. 132-401 et seq.)~~

~~7) Providers may accept partial or full payment from a third party for a client's incurred expense. However, the liability for the proportionate share, if third party payment is not received, remains with the client as indicated by the expense for care agreement executed by the client and included as an integral part of the Client Agreement - Plan of Care.~~

~~8) Providers have the option of not billing a client for the incurred expense for care if they have resources identified to make payment of the incurred expense for care on behalf of the client.~~

~~9) Providers shall respond verbally or in writing to the client on any question presented to the provider either verbally or in writing, regarding the validity of a billing within two (2) work days from the date of receipt of such a question. If the question is not resolved to the satisfaction of the client, the provider shall advise the client of his/her right to appeal the question, and the provider shall assist the client in filing an appeal if requested or needed. The provider shall also advise the client that non-payment shall result in discontinuance of services. Providers may not discontinue services until authorized to do so by the CCU. (Refer to Section 240.935).~~

~~10) Providers shall submit a Vendor Request for Payment form which shall be received by the Department no later than the fifteenth day of the month following the~~

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month in which services were provided. The form shall state the number of units of service provided to each identified client during the service month. Reimbursement to the provider by the Department will be adjusted by calculating and deducting the client's incurred expense for care based upon the fixed fee share rate except as noted in subsection (i)(3) above.

~~11) Providers shall bill the Department for service rendered to clients in increments of full or one-half (1/2) units only. Adult day care providers shall bill for not less than one nor more than two units of agency-provided transportation to/from the adult day care site per client for each 24-hour period in which adult day care service is provided to each client (refer to Section 240.1950).~~

~~12) The provider shall advise the CCU of any failure by a client to pay a monthly bill rendered by the provider for services provided to the client for more than 30 days calendar days from the date of the initial monthly billing thereafter. The provider may request the CCU to discontinue service to the client in default as stated above. (Refer to Sections 240.875 and 240.935).~~

~~13) Upon if permission is granted for discontinuance of service the provider may request reimbursement from the Department, in accordance with Section 240.935, for the client's incurred expense not to exceed 120 calendar days.~~

~~14) If a client fails to pay the client's incurred expense for care, the provider should advise the CCU after 30 days calendar days have elapsed and request reimbursement (refer to Section 240.935). If the client makes payment to the provider for incurred monthly expense which has already been reimbursed to the provider by the Department, the provider shall reimburse the Department within 30 days calendar days from the date of receipt of payment from the client.~~

~~15) Providers shall provide the Department with an annual audit report to be completed in accordance with Generally Accepted Auditing Standards and the Department~~

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on Aging Audit guidelines ~~Accounting Principles (GAAP)~~ adopted by the Financial Accounting Standards Board (High Ridge Park, Stamford, Connecticut, June 1, 1987), which are hereby incorporated by reference. (This incorporation includes no later amendments or editions).

1) The annual audit shall assure that chore-housekeeping and homemaker providers are in compliance with the financial reporting requirements as outlined in Section 240.2020. A Certified Public Accountant's (CPA's) opinion concerning the cost report shall be submitted with the audit. The CPA's opinion may be limited to:

Aa) the provider prepared the cost report by using acceptable accounting methods to allocate costs; and,

Bb) the cost reports are supported by provider accounting records.

2) The audit report shall be filed at the offices of the Illinois Department on Aging, 421 East Capitol Avenue, Springfield, Illinois 62701, within six(6) months from the date of the close of the Provider's vendor's business fiscal year or the calendar year.

3) Chore housekeeping and homemaker vendors shall be responsible for adhering to financial reporting requirements as outlined in Section 240.2020, Financial Reporting of Chore housekeeping and Homemaker Service.

4) The Department reserves the right to review the CPA's work papers.

(Source: Amended at 17 Ill. Reg. 6090, effective April 7, 1993)

Section 240.1530 General Homemaker Staffing Requirements

Each homemaker provider shall have specified staff to carry out the following functions:

- a) There shall be a designated individual who has responsibility for administration of the Community Care Program (CCP) homemaker program.

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b) There shall be Qualified homemaker staff to meet the needs of all cases referred for the provision of homemaker services. In determining what services are sufficient, the Department shall look to whether homemaker services are adequate. Inadequate homemaker services are characterized by delays or interruptions in the provision of homemaker services or by failure to provide homemaker services as required by the plan of care.

c) The homemaker provider ~~shall~~ assign responsibilities to staff which include the following:

- 1) Planning and administration of the homemaker program; assuring adequate staff to provide required services at all times; serving as liaison between the staff and the community; implementing policies according to regulations promulgated by the Department which govern the program; recommending policy and program changes to the Department; and recruiting, training and supervising staff.

- 2) Supervising of workers ~~shall which is to~~ be accomplished by qualified staff who have responsibility to ensure that the workers are scheduled and that assignments are kept.

~~the vendor shall maintain a minimum of one (1) full time supervisor for every twenty (20) full time equivalent (FTE) homemakers.~~

d) Homemaker providers ~~shall~~ not sub-contract for management, supervisory or homemaker staff personnel.

(Source: Amended at 17 Ill. Reg. 6090, effective April 7, 1993)

Section 240.1535 Homemaker Staff Positions, Qualifications and Responsibilities

a) Homemaker Supervisor

- 1) Activities of a homemaker supervisor shall include:

- A) documenting client contacts and activities related to client services in the client's file ~~case Record Recording Sheet;~~

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- B) responsibility for preparing or reviewing reports and service report sealenders;
- C) monitoring the service components of receipt procedures in the conduct of essential shopping and errands as stated in the plan of care;
- D) providing input to the case manager on the services that are needed for each client as a result of conferences with the homemaker or in-home visit on site home visits;
- E) planning, preparing, and documenting weekly verbal contact and quarterly face-to-face worker conferences with each assigned homemaker;
- F) evaluating annual evaluation of each assigned homemaker annually;
- G) coordinating the homemakers' activities with other components of the plan of care as required;
- H) making and documenting semi-annual in-home supervisory visits for each client served by the homemaker assigned homemaker;
- I) making home visits, as necessary, to provide hands-on training and assistance, and-
- J) initiating and/or participating in client staffing discussions with the case manager, as necessary.
- 2) Qualifications for a homemaker supervisor shall include:
- A) a high school diploma or general education diploma; or
- B) combination of skills and experience which indicate that the applicant has the ability to perform the supervisory activities two (2) years of documented prior supervised homemaker/chose housekeeping direct service

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- work experience in the Community Care Program (CCP) or in a comparable human service program or for a dependent child or adult family member.
- b) Homemaker Staff
- 1) Activities of homemaker staff include the following:
- A) following a client's written plan of care;
- B) carrying out duties as assigned by the supervisor;
- C) observing the client's functioning and reporting to the homemaker supervisor;
- D) providing necessary receipts and documentation in the conduct of essential shopping/errands;
- E) maintaining records of daily activities, observations, and direct hours of service; and
- F) attending initial training, in-service training sessions and staff conferences.
- 2) Qualifications of a homemaker shall include:
- A) a high school diploma or general education diploma; or
- B) one (1)-year of documented prior supervised homemaker/chose housekeeping direct service work experience in the CCP, or in a comparable human service program, or for a dependent child or adult family member; or
- C) demonstrate continued progress towards meeting the educational requirement of a general education diploma by current registration and evidence of successful completion of course work (successful completion means achievement of a grade of "C" or higher); and
- D) have a basic knowledge of home management skills; and

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E) in addition:

i) new employees shall receive 15~~15~~hours of initial face-to-face training excluding agency orientation, prior to assignment to provide services to a CCP client without a supervisor or trainer present (not to exceed a ~~60~~60 month period from said training to first assignment);

ii) initial training may be exempt if a worker has had previous documented and supervised training within the past 2~~4~~years prior to this employment, equivalent to 15~~15~~hours, and/or has successfully completed RN, LPN, MD or CNA training in the past and has been employed in the field within the past 2 years; and

iii) thereafter, a minimum of 3~~three~~hours per calendar quarter of face-to-face in-service training shall be mandatory for all workers. Initial training shall fulfill the first quarter in-service training requirement for new employees except when the initial training is exempt for previous documented and supervised training as described in subsection 240.1535(b)(2)(E)(ii) above. Training hours in excess of 3 hours may be carried forward to satisfy training requirements in the following quarter(s).

(Source: Amended at 17 Ill. Reg. 6090, effective April 7, 1993)

Section 240.1540 General Chore-Housekeeping Staffing Requirements

Each chore-housekeeping provider~~vender~~ shall have specified staff to carry out the following functions:

- a) ~~there shall be~~ A designated individual who has responsibility for administration of the Community Care Program (CCP) chore-housekeeping program.
- b) ~~there shall be~~ Qqualified chore-housekeeping staff to

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meet the needs of all cases referred for the provision of chore-housekeeping services. In determining what services are sufficient, the Department ~~shall~~will look to whether chore-housekeeping services are adequate. Inadequate chore-housekeeping services are characterized by delays or interruptions in the provision of chore-housekeeping services or by failure to provide chore-housekeeping services as required by the plan of care.

c) The chore-housekeeping provider~~vender~~ shall assign responsibilities to staff which include the following:

1) Planning and administration of the chore-housekeeping program; assuring adequate staff to provide required services; serving as liaison between staff and the community; implementing policies according to regulations promulgated by the Department which govern the program; and recruiting, training and supervising staff.

2) Supervision of workers shall~~which is to be~~ accomplished by qualified staff who have responsibility to ensure that the workers are scheduled and that assignments are kept.

~~The vendor shall maintain a minimum of one (1) full-time equivalent (FTE) supervisory employee for every thirty (30) full-time equivalent (FTE) chore housekeepers.~~

d) Chore-housekeeping provider~~s~~venders shall not sub-contract for management, supervisory or chore-housekeeping staff personnel.

(Source: Amended at 17 Ill. Reg. 6090, effective April 7, 1993)

Section 240.1545 Chore-Housekeeping Staff Positions, Qualifications and Responsibilities

a) Chore-housekeeping Supervisor

1) Activities of a chore-housekeeping supervisor shall include:

- A) documenting client contacts and activities related to client services in the client's file~~case Record Recording Sheet~~;

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- B) ~~responsibility for preparing or reviewing reports and service reports~~scatenders;
- C) monitoring the service components of receipt procedures in the conduct of essential shopping and errands as stated in the plan of care;
- D) providing input to the case manager on the services that are needed for each client as a result of conferences with the chore-housekeeper or in-home visit~~on-site home visits~~;
- E) planning, preparing and documenting weekly ~~verbal~~ contact and quarterly ~~face-to-face~~ worker conferences with each assigned chore-housekeeper;
- F) evaluating annual evaluation of each assigned chore-housekeeper annually;
- G) coordinating the chore-housekeepers' activities with other components of the plan of care as required;
- H) making and documenting semi-annual in-home supervisory visits for each ~~client served by the chore-housekeeper~~ assigned chore-housekeeper;
- I) making home visits, as necessary, to provide hands-on training and assistance, and
- J) initiating and/or participating in client staffing discussions with the case manager, as necessary.
- 2) Qualifications for a chore-housekeeping supervisor shall include:
- A) a high school diploma or general education diploma; or
- B) combination of skills and experience which indicate that the applicant has the ability to perform the supervisory activities (1) year

- b) Chore-housekeeping Staff
- 1) Activities of chore-housekeeping staff shall include:
- A) following a client's written plan of care;
- B) carrying out duties as assigned by the supervisor;
- C) maintaining records of daily activities, observations, and direct hours of service;
- D) observing the client's functioning and reporting ~~on each~~ to the chore-housekeeping supervisor;
- E) providing necessary receipts and documentation in the conduct of essential shopping/errands; and
- F) attending initial training, in-service training sessions and staff conferences.
- 2) Qualifications of a chore-housekeeper shall include:
- A) housekeeping skills;
- B) exhibition of a positive attitude towards the elderly or impaired;
- C) the ability to communicate effectively;
- D) the ability to follow oral and/or written directions;
- E) the ability to be responsible for and account for the client's money in order to provide the necessary shopping/errand component; and

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F) in addition:

- i) new employees shall receive 12~~twelve~~ (12) hours of initial face-to-face training, excluding agency orientation, prior to assignment to provide services to a CCP client without a supervisor or trainer present (not to exceed a 6~~six~~ (6) month period from training to first assignment);
- ii) initial training may be exempt if the worker has had previous documented and supervised training within the past 2~~two~~ (2) years prior to this employment, equivalent to 12~~twelve~~ (12) hours; or has successfully completed RN, LPN, MD or CNA training in the past and has been employed in the field within the past 2 years; and
- iii) thereafter, a minimum of 3~~three~~ (3) hours per calendar quarter of face-to-face in-service training shall be mandatory for all workers. Initial training shall fulfill the first quarter in-service training requirement for new employees except when the initial training is exempt for previous documented and supervised training as described in subsection 240.1545(ii) above. Training hours in excess of 3 hours may be carried forward to satisfy training requirements in the following quarter(s).

(Source: Amended at 17 Ill. Reg. 6090, effective April 7, 1993)

Section 240.1550 Standard Requirements for Adult Day Care
Providers~~vendors~~

- a) An adult day care provider~~vendor~~ shall carry general~~public~~ liability insurance in the single limit minimum amount of \$100,000 per occurrence. Policies, certificates of insurance or copies of such or current letters documenting all insurance coverages shall be available at the adult day care site.

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- b) Each provider~~vendor~~ shall also carry the following insurance coverages:
 - 1) ~~facility insurance;~~
 - 2) ~~insurance on program drivers;~~
 - 3) ~~general liability;~~
 - 4) ~~property and theft coverage;~~
 - 15) ~~motor vehicle liability, uninsured motorist, and medical payments, comprehensive and collision, public liability and property damage, medical coverage;~~
 - 26) ~~volunteer protection (especially coverage for volunteer driver/escort(s) equivalent to employees).~~
- c) An adult day care provider~~vendor~~ shall have on file and utilize written procedures to:
 - 1) Store and lock medications.
 - 2) Label medications brought to the adult day care center.
 - 3) Ensure that:
 - A) prescribed medication is administered by an appropriately licensed professional to those adult day care clients who are determined unable to self-administer medications;
 - B) judgment of a client's inability to self-administer medications shall be documented by physician's order or the Case Coordination Unit (CCU) plan of care and/or the Adult Day Care plan of care by the program nurse;
 - C) administration of all medications administered by the ADC staff (prescription and non-prescription) are recorded in the client's case record; and
 - D) physician orders for medication are utilized

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and filed in the client's case record.

- d) A facility which houses an adult day care program (including satellite sites) shall meet the following criteria:

- 1) A separate identifiable area must be designated for sole use by the adult day care program, and a schedule established and posted for usage of any common program areas shared with other programs.
- 2) There shall be a minimum of 40 square feet of activity area per client. (Multiple-use areas must be pro-rated on both time and client basis). The activity area in the square feet per client requirement is exclusive of exit passages and fire escapes, administrative space, storage areas, bathrooms, kitchen used for meal preparation, space required for equipment and gymnasiums or other areas when used exclusively for active sports. An adult day care site cannot exceed the daily census maximum space requirement.
- 3) All adult day care providers shall comply with the applicable provisions of the following codes and standards. Any incorporation by reference in this Section of these rules or regulations of any agency of the United States or of any standard of a nationally recognized organization or association includes no new amendments or editions made after the date specified.

A) State of Illinois Codes and Standards

- | Code or Standards | Agency |
|---|---|
| i) Ill. Plumbing Code, as amended (1991) (1983) (77 Ill. Adm. Code 890) | Department of Public Health, Environmental Health Protection or their authorized local designee |
| ii) Accessibility Standards, Illustrated | Capital Development Board |

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as adopted pursuant to enactment of the Environmental Barriers Act (1985)

NOTE: It shall be incumbent upon the provider to assure that their facility meets all applicable requirements as promulgated by the Capital Development Board. (No written documentation thereof shall be required.)

- iii) Fire Prevention and Safety (1983) (41 Ill. Adm. Code 100)

Office of State Fire Marshal

- iv) Illinois Vehicle Code (Ill. Rev. Stat. 1991, ch. 95 1/2, par. 1-100 et seq.) 1625 ILCS 5/1-100 et seq., as amended (1991) (1986)

Secretary of State of Illinois

- v) Food Service Sanitation (1991) (1983) (77 Ill. Adm. Code 750)

Department of Public Health, Environmental Health Protection or their authorized local designee

- vi) Illinois Human Rights Act (Ill. Rev. Stat. 1991) 807, ch. 68, par. 1-101 et seq. 1775 ILCS 5/1-101 et seq.

Department of Human Rights

B) Other Codes and References

- i) National Fire Protection Association
- National Fire Protection Association and

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(NFPA 101 Life Safety Code, 1988)1985 edition: Chapter 10, Section 7 and Chapter 11, Section 7)

Office of State Fire Marshal shall inspect

- ii) Recommended Dietary Allowances 10th^{9th} Revised Edition-(1980)

National Academy of Sciences

C) In addition to compliance with the standards set forth herein, all applicable local and state building, fire, health and safety codes, ordinances and regulations which are enforced by city, county or other local jurisdictions in which the facility is, or will be, located must be observed and documented through required inspections by appropriate officials.

4) Each facility shall have posted an emergency plan for evacuation and shall conduct quarterly fire drills in accordance with subsection 240.1550(d)(3)(B)(i) above(A)(iii). Documentation of the dates of the fire drills must be on file at the facility.

5) Each facility shall maintain room temperatures in the facility of not less than 70 degrees Fahrenheit and not more than 85 degrees Fahrenheit by utilizing heating system/air conditioning/circulating fans.

6) Each facility shall designate a dining area (equipped with a sufficient number of chairs and table space) to accommodate the daily number of clients.

7) Each facility shall have at least: one (1) handicapped-accessible bathroom facility for up to 12 twelve (12) clients and a minimum of 2 two (2) bathroom facilities (one handicapped accessible) to serve 13 thirteen (13) or more clients.

8) Each facility shall have space for office equipment

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and storage of supplies.

9) Hot water temperatures shall be controlled to not exceed 119 degrees but not less than 99 degrees Fahrenheit in the bathroom facilities to prevent scalding.

10) Clients shall not be allowed in the kitchen if water temperatures are not controlled as required in subsection 240.1550(d)(9) above, or when a microwave oven is in use. Microwave ovens should not be operated in the client activity area. Clients should not be allowed in other areas where supplies/medications are stored or where a microwave is in use unless supervised, or when a microwave oven is in use.

11) Each facility shall have at least one quiet place equipped with a reclining chair, cot or bed where a client may rest.

12) Exit areas shall be clear of equipment and debris at all times.

13) One telephone shall be immediately available within the client activity area. A list of emergency numbers shall be posted by the telephone.

14) Supplies and equipment for emergency first aid shall be immediately accessible to allocated in the client activity areas.

e) An adult day care provider~~ender~~ (including each satellite site) shall meet the following criteria relative to meals provided to clients (prepared on-site or contractual):

1) The adult day care provider~~ender~~ shall provide to each client one meal at mid-day meeting at least one-third (1/3) of the adult "Recommended Dietary Allowances" established by the Food and Nutrition Board of the National Research Council - National Academy of Sciences (10th^{9th} Revised Edition-1980). Supplementary nutritious snacks shall also be provided. The adult day care provider~~ender~~ shall provide modified~~special~~ diets as directed by the client's physician.

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- 2) Adult day care providers ~~vendors~~ (whether meals are prepared on-site or contractually) shall:
- A) Have menus approved and so documented by the registered dietitian.
 - B) Post menus in advance in a location visible to the client(s) within the day care center.
 - C) Assure that menus are planned for a minimum of four weeks on a menu form.
 - D) Develop methods and follow written procedures to control portion sizes and to meet the one-third ~~(1/3)~~ daily recommended dietary allowances. ~~(Refer to See~~ subsection 240.1550(d) (3) (B) (ii) above).
 - E) One employee at each day care site, either handling/preparing or supervising the handling/preparing of foods, shall meet ~~be~~ certified in Food Service Sanitation guidelines issued by the Illinois Department of Public Health.
 - F) Have on file, and available for review, and follow written procedures for receiving and storing food which must include:
 - i) verification of food quantities;
 - ii) checking and documentation of food temperatures at time of delivery and serving;
 - iii) equipment to be utilized;
 - iv) procedures to follow for foods that arrive above or below temperature, deteriorated food and food shortages.
 - G) Ensure that catered meals are transported in equipment that maintains temperatures of hot food at 140 degrees Fahrenheit, or above, and cold foods at 45 degrees Fahrenheit, or below. Foods shall be maintained and served at the above temperatures at the adult day care site.

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- H) Ensure that all foods prepared on-site shall be maintained and served at 140 degrees Fahrenheit, or above, for hot foods and 45 degrees Fahrenheit, or below, for cold foods.
 - I) Ensure that potentially hazardous foods (i.e., food that consists in whole or in part of milk, milk products, eggs, meat, poultry, fish, shellfish, edible crustacea, or other ingredients, including synthetic ingredients, in a form capable of supporting rapid and progressive growth of infectious or toxigenic microorganisms) intended to be served cold shall be transported/maintained at a temperature of 45 degrees Fahrenheit, or below.
 - J) If food is prepared by a caterer, ~~ensure~~ that the registered dietitian has inspected the caterer's location and receives documentation that the caterer's operation complies with all health, sanitary and safety regulations. The adult day care provider shall keep a copy of the current caterer's inspection certificates/letters on file.
 - K) ~~The adult day care vendor shall keep a copy of the current caterer's inspection certificates/letters on file.~~
- (Source: Amended at 17 Ill. Reg. 6090, effective April 7, 1993)
- Section 240.1555 General Adult Day Care Staffing Requirements
- a) Each adult day care provider ~~vendor~~ shall have adequate personnel in number and skill (a minimum of two staff persons) at the adult day care site at all times to provide for:
 - 1) ~~program and fiscal administration~~ continuity of direction and supervision;
 - 2) nursing and personal care services and dispensing medications if appropriate;
 - 3) nutritional services;

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- 4) planned therapeutic/recreational activities;
- 5) obtaining prompt services of emergency personnel and hospitalization, if needed;
- 6) immediately notifying the client's authorized representative or family member of any illness, accident or injury to the participant;
- 7) provision/arrangement of transportation services to and from the adult day care site; and
- 8) adequate record keeping;
- 9) development, implementation and quarterly review of individualized plans of care;
- 10) program evaluation and marketing;
- 11) supervision and evaluation of staff; and
- 12) monitoring and meeting staff training needs.

b) ~~There shall be qualified adult day care staff to meet the needs of all cases referred for the provision of adult day care services. In determining what services are sufficient, the Department will look to whether adult day care services are adequate. Inadequate adult day care services would be those services characterized by delays or interruptions in adult day care service or by failure to provide adult day care service as required by the Client Agreement Plan of Care. An adult day care site cannot exceed the daily census maximum space requirement.~~

be) The minimum ratio of full-time staff (qualified day care staff, trained volunteers or substitutes) or full-time equivalent (FTE) staff present at the adult day care site to clients, when clients are in attendance, shall be:

i) ~~Ratio of full time or FTE staff to clients:~~

Staff	Clients
2	01 to 12
3	13 to 20
4	21 to 28
5	29 to 35

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6 36 to 45

- 12) Add one ~~(1)~~ additional staff person for each ~~seven~~ (7) additional clients.
- 23) Fifty percent or more of a staff member's time shall be spent in on-site service or supervision on behalf of one or more clients in order to be considered in the ratio.
- 3) Exceptions from the mandated ratio of staff to clients can be made only with prior Department approval.
- d) ~~When a staff person is fulfilling more than one position (or function) with the adult day care program, that person must fulfill the prescribed amount of time as outlined in the respective job descriptions for each position, e.g., administrator 1/2 time; program nurse, 1/2 time.~~

de) Each adult day care employee shall have:

- 1) Initial training totaling a minimum of ~~12~~ 12 ~~twelve~~ (12) hours face-to-face training within the first week of employment (exclusive of orientation). A worker may be exempted from initial training by the provider ~~may be exempt if the worker has had previous documented and supervised training equivalent to 12 hours, with another CCP contracted agency, or in a related field, within the past 2~~ (2) years prior to this employment equivalent to ~~12~~ 12 ~~twelve~~ (12) hours or holds a C.N.A., R.N., L.P.N., B.A., B.S., B.S.W. or higher degrees.

- 2) A minimum of ~~12~~ 12 ~~three~~ (3) hours continuing education face-to-face per calendar year ~~quarter of in-service training shall be mandatory for all adult day care employees. Initial training shall fulfill the first quarter in-service training requirement for new employees except when the worker is exempted from initial training is exempt for previous documented and supervised training as described in subsection 240.1555(c)(1) above.~~

(Source: Amended at 17 Ill. Reg. 6090, effective April 7, 1993)

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Section 240.1560 Adult Day Care Staff Positions, Qualifications and Responsibilities

a) The following staff shall be required of all adult day care providers ~~vendors~~ (with specified exceptions):

1) An Adult Day Care Program Administrator shall:

A) Meet the following qualifications:

i) have a bachelor's degree in a health or human services or related field (including social or health sciences, public administration or physical education) or be a Registered Nurse or Health Services Administrator; ~~or~~

ii) ~~an adult day care program administrator working in that capacity since July 1, 1985, and continuously since that date, must meet the above requirement, or demonstrate 2 one years of progressively responsible supervisory work experience in a program serving the elderly for each year of education being replaced (up to 4 years) in the disciplines defined in subsection (a) (1) (A) (i) above, or demonstrate continual progress towards meeting the educational requirements by current registration and evidence of successful completion of course work in an accredited junior college, college or university for at least 2 two (2) semesters (or 3 three quarters) of each academic year. (Successful completion means achievement of a grade of "C" or higher in undergraduate course work and a grade of "B" or higher in graduate course work.)~~

B) Be responsible for the overall conduct and management of the adult day care program, including:

i) directing and supervising all aspects of the program

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ii) ~~supervision of the Program Coordinator/Director;~~

iii) ~~fiscal administration;~~

iv) ~~evaluation of the program and staff;~~

v) ~~community relations.~~

BE) The responsibilities of the Administrator may be performed by the Program Coordinator/Director. If the Administrator's function is also performed by the Program Coordinator/Director, only the qualification requirements for Program Coordinator/Director apply.

2) An Adult Day Care Program Coordinator/Director shall meet the following qualifications:

A) Meet the following qualifications:

Bi) have a bachelor's degree in health or human services, social or health sciences, or physical education, or related field; or

Bii) be a registered nurse; or

Ciii) ~~An adult day care program coordinator/director working in that capacity since July 1, 1985, and continuously since that date, must meet the above requirement or demonstrate 2 one years of progressively responsible supervisory work experience in a program serving the elderly for each year of education being replaced (up to 4 years), in the disciplines defined in subsection (a) (2) (A) above, or demonstrate continual progress toward meeting the educational requirements by current registration and evidence of successful completion of course work in an accredited junior college, college, or university for at least 2 two (2) semesters (or 3 three quarters) of each academic year. (Successful~~

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completion means achievement of a grade of "C" or higher in undergraduate course work and a grade of "B" or higher in graduate course work.)

B) ~~Be a full-time staff person and shall have the following responsibilities:~~

i) ~~assuming responsibility for the program in the absence of the Program Administrator;~~

ii) ~~being present at the adult day care center at all times during program hours or designating an alternate who meets the requirements in subsection 240.1560(a)(2)(A) above;~~

iii) ~~having responsibility for the development and quarterly monitoring of the individual specialized adult day care plan of care for each client;~~

iv) ~~coordinating and participating in the quarterly review of each client's specialized plan of care and ensuring documentation of the quarterly review;~~

v) ~~developing and implementing activities for an educational, recreational and social program which meets the individual needs of each client;~~

vi) ~~recording client's progress or reviewing client's progress as recorded by other staff in the client's case record;~~

vii) ~~annual evaluation of staff.~~

3) A program nurse shall:

A) A program nurse shall:

iA) ~~be a Registered Nurse (R.N.) licensed by the State of Illinois; or~~

iiB) ~~be a Licensed Practical Nurse (L.P.N.)~~

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~~licensed by the State of Illinois under the supervision of an R.N.; and~~

iii) ~~be on duty at least one-half of a full-time (FTE) work period when clients are in attendance, either as staff or on a contractual basis.~~

c) ~~be at least one half (1/2) time full time equivalent (FTE) when clients are in attendance on a daily basis, on staff or contractual, and shall have the following responsibilities:~~

i) ~~providing/supervising the health service component provided at the adult day care site;~~

ii) ~~developing health care services to meet the needs cited in each client's individualized plan of care;~~

iii) ~~administering and supervising medications;~~

iv) ~~recording each client's progress in the client's case record to include quarterly review meeting recordings;~~

v) ~~participating in the quarterly review of each client's individualized plan of care;~~

vi) ~~providing health related personal care training to all staff in the care of clients (e.g., transferring).~~

BD) ~~With written Department approval, the responsibilities of program nurse may be performed by the Program Coordinator/Director or Administrator. If the Program Nurse function is performed by the Program Administrator or Program Coordinator/Director, that person must be full-time, and must meet the qualifications for a program nurse and fulfill responsibilities for all assigned positions.~~

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- 4) A transportation Driver/Escort (provider/vendor employed or contractual) for those adult day care contractors who provide the transportation service component shall meet all applicable requirements of the Illinois Vehicle Code (Ill. Rev. Stat. 1991-1987, ch. 95 1/2, par. 1-100 et seq.) [625 ILCS 5/1-100 et seq.].

5) Nutrition Staff:

A) Nutrition staff shall include:

- i) at least one staff person who meets the Food Service Sanitation guidelines issued by the Department of Public Health.

- ii) a Nutrition Consultant/Dietitian, either paid or in-kind, who shall: be a registered member of the American Dietetic Association with experience in an agency setting; and approve menus for adult day care providers to meet requirements stated in subsection (B) below.

B) The nutrition staff is responsible for providing daily meals meeting requirements specified in Section 240.230(a)(5).

5) Nutrition Staff shall:

A) meet the following qualifications:

- i) at least one staff member handling/preparing foods at the adult day care site must meet Food Service Sanitation guidelines issued by the Department of Public Health as a Certified Food Handler;

- ii) a Nutrition Consultant shall be a registered member of the American Dietetic Association with experience in an agency setting, paid or in kind.

- B) provide daily meals meeting requirements

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specified in Section 240.230(a)(5):

- C) The Nutrition Consultant/Dietitian shall approve menus for adult day care providers to meet requirements stated in subsection 240.1560(B) above.

- b) The following optional staff, either contractual or employed by an adult day care provider/vendor, shall meet the specified qualifications and have the specified responsibilities:

- 1) A social service worker shall: be under the direction of the Program Coordinator/Director and shall:

- A) be under the direction of the Program Coordinator/Director;

- B) possess a Bachelor's degree in Social Work or a related field and have at least one year's work experience, preferably with programs for the elderly and disabled.

- B) have responsibilities including:

- i) providing/supervising social work services;

- ii) developing the social work service plan component of the individualized plan of care;

- iii) monitoring and recording the client's progress in the case record of each client;

- iv) identifying special needs of each client for additional social or mental health needs and assisting in their arrangement;

- 2) Program Aides shall have a high school diploma or general education diploma, or 2 years of prior documented experience working in programs for the elderly, or demonstrate continued progress towards meeting the educational requirement of a general education diploma by current registration and

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evidence of successful completion of course work (successful completion means achievement of a grade of "C" or higher).⁺

A) ~~have a high school diploma or general education diploma, or two (2) years of prior documented experience working in programs for the elderly, or demonstrate continued progress towards meeting the educational requirement of a general education diploma by current registration and evidence of successful completion of course work (successful completion means achievement of a grade of "C" or higher);~~

B) ~~have the following responsibilities:~~

- i) ~~assisting in individual and group programming and one to one relationships with the clients;~~
- ii) ~~assuming responsibility for a group of clients (under supervision of the Program Coordinator);~~
- iii) ~~participating in the quarterly review of each client's individualized plan of care.~~

3) A medical consultant shall be a Medical Doctor (M.D.) licensed to practice medicine by the State of Illinois.⁺

A) ~~be a medical doctor (M.D.) licensed to practice medicine by the State of Illinois;~~

B) ~~be available to provide direct medical care or consultation services, as needed or requested.~~

4) A rehabilitation consultant shall:

A) have a bachelor's degree from an accredited program;

B) be licensed, registered or certified in accordance with requirements of the State of Illinois.⁺

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C) ~~be available to provide service directly or on a consultation basis.~~

c) The following requirements shall apply to substitutes for staff positions and/or regularly scheduled and to volunteers utilized by an adult day care provider:⁺

1) the adult day care provider shall have on file information documenting the same personal, health, administrative and professional qualifications for substitutes as are required of staff for whom they act as substitutes;

2) persons agreeing to be available as substitutes or for use in emergencies shall sign a written statement kept on file at the adult day care center, certifying to their availability and agreement to serve in the particular capacity. The file of each person serving in this capacity shall contain such a statement for each calendar year of availability;

3) volunteers shall complete an application indicating their reason for participation in the program and special skills, and an assurance of freedom from communicable disease; a self-declaration of good health based on a physical examination within the last two (2) years;

4) volunteers may serve in any capacity for which they are qualified (refer to see subsection 240.1560(c)(1) above);

5) substitutes and volunteers shall be supervised by the staff person supervising the function to which the volunteer or substitute is assigned;

6) substitutes and volunteers who are not used to meet program requirements are exempt from shall have two (2) hours initial and in-service training requirements.

(Source: Amended at 17 Ill. Reg. 6090, effective April 7, 1993)

Section 240.1565 Adult Day Care Satellite Sites

a) Due to the entitlement nature of the Community Care

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Program (CCP), an adult day care facility may have more clients referred to that facility than the available space allows (daily census maximum) (Refer to Section 240.1550). When this occurs the adult day care provider has two options:

- 1) Advise the Case Coordination Unit (CCU) that such a situation is imminent and request suspension of referrals; or
- 2) Request, in writing, authorization from the Department to develop a satellite site in the same geographic contractual area.
- b) If an adult day care provider advises the CCU of the imminence of its facility reaching the daily census maximum and the provider states that it does not wish to expand and open a satellite site, the CCU shall immediately advise the Department in writing.

1) The Department may issue a Request for Proposal (RFP) for an additional provider in the same geographic area at the next appropriate RFP solicitation.

2) The contract of the adult day care provider choosing not to open a satellite site shall in no way be affected by the issuance of an RFP/subsequent contract with an additional provider.

c) The provider shall notify the Department when the provision of service will begin at the satellite site. The site will be granted a contract based on the provider's assurances.

d) The Department will conduct an on-site review of the satellite site within the first two (2) month period of service provision at the site.

e) Upon confirmation of compliance to the contract, rules and procedures, the satellite site will be given written authorization/approval.

f) An amendment will be executed to the contract to reflect this authorization/approval.

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2) Authorization/approval shall terminate no later than the date the original contract terminates upon which authorization was based.

(Source: Amended at 17 Ill. Reg. 6090, effective April 7, 1993)

Section 240.1570 Adult Day Care-Service Availability Expansion

a) A Community Care Program (CCP) adult day care client may be allowed access to CCP adult day care services in a service area in which the client does not reside (outlying service area) upon receipt of written approval to the Case Coordination Unit (CCU) by the Department under the following circumstances:

1) the CCU has determined that the needs of the client may best be served by a provider in an outlying service area; adult day care services are appropriate for the client; and

2) the geographic area in which client resides does not have a provider of the needed services; or adult day care services; or

3) the client may be provided with adult day care services more conveniently/appropriately by a CCP provider in an outlying service area for the following reasons:

A) the authorized CCP provider's service area has reached the daily census maximum capacity, and have approval to not accept new clients, and/or is unable to provide a service without delay and/or interruption; and does not wish to establish a satellite site;

B) optional adult day care service components required by the client are unavailable from the CCP authorized provider in the client's service area but are available from a CCP authorized provider in another service area; or

C) transportation can be more conveniently arranged to a CCP authorized provider in

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another service area (adult day care only); or

- D) special needs of the client (e.g., language-appropriate workers) can only be met by a CCP authorized provider in another service area.

- 4) The CCP authorized provider in the outlying service area agrees to provide the service required without delays/interruptions to the referred client.

- 4) there is a CCP authorized adult day care vendor in an outlying service area whose daily census maximum will allow additional referrals of clients.

- b) A Community Care Program (CCP) in-home care client may be allowed access to CCP in-home care services in a service area in which the client does not reside (outlying service area) upon receipt of written approval to the Case Coordination Unit (CCU) from the Department under the following circumstances:

- 1) The CCU has determined that the special needs of the client (e.g., language specific workers) can only be met by a CCP authorized provider in another service area; and,

- 2) The CCP authorized provider in the outlying area agrees to provide the service required without delays/interruptions to the referred client; and,

- 3) The CCP authorized provider(s) in the client's area of residence are unable to meet the special needs of the client without delays/interruptions.

- c) A request by a client to receive CCP adult day care services from a provider in an outlying service area is inappropriate if the client refuses to accept CCP adult day-care services deemed appropriate by the CCU in the client's service area. In this instance, service will be denied or terminated as appropriate.

- e) Department approval of a request for adult day care service availability expansion shall remain in effect from the date of the Department's notice of approval of the referral until one of the following occurs:

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- 1) adult day care services to the referred client are terminated for any reason;
- 2) the receiving vendor's contract with the Department to provide adult day care services is terminated;

- 3) as the result of solicitation for proposals to provide adult day care service in the client's service area, a contract is issued and the service is appropriate for the client.

- d) If a provider's vendor's adult day care contract period is extended in writing by the Department, approval of the adult day care service availability expansion is also extended for the same effective period.

(Source: Amended at 17 Ill. Reg. 6090, effective April 7, 1993)

Section 240.1575 Adult Day Care Site Relocation

- a) A Community Care Program (CCP) adult day care provider/vendor may need to relocate its primary or approved satellite site for the following reasons:

- 1) an emergency (e.g., flood, fire, etc.) may require that the site be moved;

- 2) a temporary situation may require a temporary move (e.g., building or plumbing repairs needed, etc.);

- 3) the provider/vendor may wish to update the site by relocation to increase the available space or may be required to relocate because of loss of lease, etc.

- b) Any CCP adult day care provider/vendor intending to relocate its primary or satellite site shall obtain written approval of the new facility from the Department.

- a) For all reasons for relocation except an emergency:

- 1A) the provider/vendor shall file a letter of intent to relocate, providing detailed information including the reason for the relocation, the proposed relocation site and assurance that requirements specified in subsections (a)(2)(A), 240.1575(B)(1) and

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(a)(2)(B)240.1575(B)(ii) below are met.

2B) the letter of intent to relocate shall be received by the Department at least ~~30thirty~~ (30) calendar days prior to the anticipated date of the proposed relocation.

Ai) The proposed facility shall meet all CCP standards, and Federal, State and local codes as set forth in Section 240.1550.

Eii) The provider shall assure the Department that service to the provider's CCP clients will be uninterrupted.

Ciii) A request for a contract amendment may be made by the provider if the relocation affects the designated address to which the Department mails its correspondence, etc. to the provider.

3) Upon receipt and approval of the letter of intent to relocate, the Department shall issue a temporary authorization to provide service in the new location.

C) ~~Within ten (10) work days from the date of receipt of the letter of intent to relocate, the Department shall provide the vendor with written acknowledgement of the receipt thereof.~~

4) Final approval of the relocation shall be based upon the information required by the Department and the results of an on-site visit and review of the facility by the Department (refer to ~~Section 240.1550~~).

i) ~~Within five (5) work days from the date of the written acknowledgement, the Department shall contact the vendor to schedule an on-site visit and review of the proposed facility.~~

ii) ~~The on-site visit and review shall occur~~

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~~no sooner than thirty (30) calendar days and no later than forty five (45) calendar days from the date of the written acknowledgement by the Department.~~

b2) When any emergency requires relocation of an adult day care site the provider shall immediately notify the Department.

(Source: Amended at 17 Ill. Reg. 6090, effective April 7, 1993)
Section 240.1580 Standards for Alternative Providers

a) In the event that Community Care Program (CCP) services are not provided to an eligible applicant within the time limit specified in Section 240.910, the eligible applicant may arrange to receive the amount and type of CCP services for which he or she has been determined eligible from an individual or a home care agency of the eligible applicant's choice ~~15fifteen (15)~~ calendar days from the date of the notice of eligibility. The Case Coordination Unit (CCU) shall approve the applicant's choice of individual or home care agency for services to be provided.

b) If there is an interruption of services provided to a client due to the failure of a contractual provider to provide such services, the CCU shall assist the client in locating an individual or home care agency.

c) The Department shall authorize the individual or home care agency and shall guarantee a minimum of ~~15fifteen (15)~~ calendar days of service provided by such alternative provider, if at the request of the alternative provider.

d) The Department shall make payment on a monthly basis for such services at the rate which would have been paid an individual provider, if an individual is selected by the eligible applicant/client; or at the usual and customary rate of the home care agency/provider chosen by the eligible applicant/client to provide this service, if a home care agency is selected by the eligible applicant/client.

e) Payment shall continue, in accordance with subsection

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~~240-1590~~(c) above, only until such time as the Department's contractual provider~~provider~~ initiates provision of CCP services to the client, at which time service by the alternative provider shall be immediately terminated. The CCU shall verbally notify the alternative provider and the client of the date upon which service shall be initiated by the Department's contractual provider~~provider~~.

f) Request for payment for services rendered by an individual alternative provider shall be submitted to the Department by the individual providing the service.

g) Payment for services rendered by a home care agency of the eligible applicant's/client's choice shall be made by the Department following submittal by the agency and processing by the Department of billing forms provided to the agency by the Department.

h) Payment shall be authorized in compliance with the State Prompt Payments Act ~~"AN ACT TO REQUIRE PROMPT PAYMENT BY THE STATE OF ILLINOIS FOR GOODS OR SERVICES"~~ (Ill. Rev. Stat. 1991-1997, ch. 127, pars. 132.401 et seq.) [30 ILCS 540/1 et seq.].

i) The Department shall be liable for its share of the cost of CCP services, as determined in accordance with Sections 240.855 and 240.870.

j) The payment for the monthly expense for care incurred by the client for CCP Alternative Provider services shall be the responsibility of the client as set forth in Section 240.875.

(Source: Amended at 17 Ill. Reg. 6090, effective April 7, 1993)

Section 240.1590 Standard Requirements for Individual Chore-
Housekeeping Provider Services

a) All determinations and redeterminations of eligibility shall be made by the appropriate Case Coordination Unit (CCU) at least once a year or as requested by the client, the client's authorized representative, the client's physician, provider or Department staff.

b) Individual providers shall follow the plan of care developed by Department staff.

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c) Individual providers shall be evaluated by the CCU as to their ability to provide needed services through quality of work and dependability.

d) Qualifications for an individual chore-housekeeping provider shall include:

1) Be at least 18 years of age;

2) Not be the spouse of a client;

3) Not be the parent of the client who is a dependent child;

4) Must demonstrate skills necessary to follow the written plan of care.

ed) The Department may recommend that a client receiving individual provider chore-housekeeping service be transferred to an agency~~authorized provider~~ for such services, if the Department staff determine one or more of the following:

1) potential abuse is noted; or

2) the household employee is not meeting the client's needs as established in the Client Agreement - Plan of Care; or

3) there is a high turnover of household employees; or

4) the client cannot find a household employee.

fe) Such determination by Department staff may be made as a result of a telephone or written inquiry or complaint to the Department from any of the following:

1) the client;

2) the client's Physician/Nurse Practitioner/Registered Nurse/Christian Science Practitioner;

3) the Case Coordination Unit (CCU).

gf) Transfer to an agency~~authorized provider~~ will be based on the following considerations:

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1) whether the client, if transferred, will lose sufficient hours of service, based upon the Determination of Need through the eligibility process, which may place the client at very high risk; or

2) whether a relative (other than a spouse or a parent) is the individual chore-housekeeping provider, and/or if the client, for other reasons, wants to keep the employee, but the provider/vender may not be able to hire the employee.

1g) If, during the Determination of Need process, the CCU believes that the client may need a combination of services (such as chore-housekeeping and adult day care), the CCU shall recommend the combined service provision to the Department. The Department shall determine whether the combination of services of the individual chore-housekeeping provider and agency provider/vender is appropriate or whether it is more appropriate to transfer the client from individual chore-housekeeping provider services to agency provider(s)/vender(s) for all services.

ih) Payment for services provided by an individual chore-housekeeper provider shall be made by the Department on behalf of the client.

ij) Payment shall be in compliance with the State Prompt Payments Act "AN ACT to require prompt payments by the State of Illinois for goods or services" (Ill. Rev. Stat. 1991-1987, ch. 127, pars. 132.401 et seq.) [30 ILCS 540/1 et seq.].

(Source: Amended at 17 Ill. Reg. 6090, effective April 7, 1993)

SUBPART R: ADVISORY COMMITTEES

Section 240.1800 Community Care Program (CCP) Policy Advisory Committee

a) The Director shall appoint individuals to serve in an advisory capacity to the Department to identify present and potential policy issues, including rules of reimbursement for services provided under the CCP, affecting the Community Care Program (CCP) service delivery network, and to recommend solution strategies.

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b) Representatives will be appointed with the following considerations:

1) the agency's/applicant's experience (years) in the Community Care Program (CCP);

2) geographic representation;

3) equal in-home/homemaker, chore-housekeeping, adult day care and case coordination unit provider representation, as well as two in-home care direct service staff representatives from the service worker union; and two representatives of Area Agencies on Aging;

4) at least 2 non-provider representatives from policy/advocacy/other services/research organizations; and

5) willingness to serve.

b) Representatives will be appointed as follows from the service network:

1) four (4) Case Coordination Unit representatives;

2) two (2) adult day care representatives;

3) two (2) homemaker representatives;

4) two (2) chore housekeeping representatives;

5) two (2) Area Agency on Aging representatives;

6) two (2) demonstration/research project representatives;

7) two (2) non provider representatives from policy/advocacy/research organizations;

8) one (1) service worker union representative.

c) A total of 20 individuals may not serve in more than one capacity on the Committee, so that seventeen (17) individuals will serve in their advisory capacity.

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- cd) ~~Representatives will be appointed by the Director.~~ Nominations may be presented from any agency or state association with interest in the CCP. ~~Selections will be based on geographic representativeness and experience in the CCP and willingness to serve.~~
- de) The Director, or designee, will serve as permanent Co-Chair(s) of the Community Care Program (CCP) Policy Advisory Committee.
- ef) The Director will designate Department staff to provide technical assistance and staff support to the Committee. Department representation will not constitute membership on the Community Care Program (CCP) Policy Advisory Committee.
- fg) Initial terms of appointment will be for either two (2) or ~~three~~ (3) years. Subsequent appointments will be for a single two (2) year term. At no time can a member serve ~~more than one~~ second consecutive term in any capacity on the Committee.
- gh) The Department will fill vacancies that have a remaining term of over one (1) year, and this replacement will occur through the annual replacement of expiring terms.
- ih) ~~The Committee will meet at least semi annually, once in September and once in March.~~
- ji) ~~The Committee may request the Director as Chair, in writing, to schedule a meeting at any time during the calendar year in addition to the above prescribed times. The Director, as Chair, will take such a request under advisement, and may schedule additional meetings not to exceed a total of four (4) meetings in the calendar year.~~
- hk) All papers, issues, reports and meeting memoranda will be advisory only. The Director, or designee as Chair, will make a written response/report, as requested, regarding issues before the Community Care Program (CCP) Policy Advisory Committee.
- il) The Director retains full decision making authority on the Community Care Program regarding any recommendations presented by the Community Care Program (CCP) Policy Advisory Committee ~~recommendations.~~
- im) ~~Members of the Policy Advisory Committee shall not concurrently serve on the Technical Rate Review Advisory Committee (See Section 240.1850).~~

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(Source: Amended at 17 Ill. Reg. 6090, effective April 7, 1993)
Section 240.1850 Technical Rate Review Advisory Committee
(Repealed)

- a) ~~The Director will appoint a Technical Rate Review Advisory Committee to evaluate and advise on a rate methodology for establishing fair and equitable rates of reimbursement for services provided under the Community Care Program.~~
- b) ~~The Committee will advise the Department on methodology based on the rules, policies and procedures of the Community Care Program, comparative market place conditions and current conditions of doing business.~~
- c) ~~The Committee will advise the Department on homemaker, chore housekeeping, adult day care and case management rates.~~
- d) ~~Representatives will be appointed with the following considerations:~~
- ~~1) the agency's/applicant's experience (years) in the Community Care Program;~~
 - ~~2) the applicant's experience in budget development;~~
 - ~~3) the applicant's formal education in accounting/budgeting;~~
 - ~~4) geographic representation; and~~
 - ~~5) homemaker, chore housekeeping, adult day care and case coordination unit representation as well as one representative each from the service worker union and from an Area Agency on Aging; and~~
 - ~~6) willingness to serve.~~
- e) ~~Twelve (12) representatives will be appointed by the Director. Nominations may be presented from any agency or state association with interest in the Community Care Program. Selections will be based upon the considerations as outlined in subsection (d) above.~~
- f) ~~Three (3) representatives from other State departments~~

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will be appointed by the Director.

- g) Individuals may not serve in more than one capacity on the Committee, so that fifteen (15) individuals will serve in a rate review advisory capacity.
- h) The Director will designate Department staff to provide technical assistance and staff support to the Committee. Such Department representation will not constitute membership on the Technical Rate Review Advisory Committee.
- i) The Director will serve as permanent Chair of the Technical Rate Review Advisory Committee.
- j) Initial terms of appointment will be for either two (2) or three (3) years. Subsequent appointments will be for a single two (2) year term. At no time can a member serve a second consecutive term in any capacity on the Committee.
- k) The Department will fill vacancies that have a remaining term of appointment of over one (1) year, and this replacement will occur through the annual replacement of expiring terms.
- l) The Committee will meet at least three (3) times in each calendar year, during the months of: January, March, and August.
- m) The Committee may request the Chair, in writing, to schedule a meeting at any time during the calendar year in addition to the above prescribed times. The Director, as Chair, will take such a request under advisement, and may schedule additional meetings not to exceed a total of four (4) meetings in the calendar year.
- n) All papers, issues, reports and meeting memoranda will be advisory only. The Director as Chair will make a written response/report, as requested, regarding issues before the Technical Rate Review Advisory Committee.
- o) The Director retains full decision making authority on the Community Care Program regarding any recommendations of the Technical Rate Review Advisory Committee.
- p) Members of this Committee shall not concurrently serve on

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the Policy Advisory Committee.

(Source: Repealed at 17 Ill. Reg. 6090, effective April 7, 1993)

SUBPART T: FINANCIAL REPORTING

Section 240.2020 Financial Reporting of Chore-Housekeeping and Homemaker Services

a) Provider/Vendor agencies will be required to submit two cost reports, ~~the~~ Direct Service Worker Cost Certification ~~and Detailed Cost Certification~~, as specified below. The reports must be based upon actual, documented expenditures.

1) The reports must be submitted annually, within ~~six~~ months of the end of the reporting period, and may be prepared as a part of the provider's ~~vendor's~~ annual audit.

2) The reports may be on either a calendar year basis or the provider's ~~vendor's~~ fiscal year (once a provider/vendor has elected to base the reports on a calendar or fiscal year, this election can be changed only upon written approval of the Department).

b) The first—cost report must demonstrate that the provider/vendor has expended a minimum of 73% of the total revenues due from the Department, to include the client incurred expense, for Direct Service worker costs as enumerated in Section 240.2050.

c) The second—cost report shall identify the provider's ~~vendor's~~ expenditures for Direct Service worker costs of Program Support costs, and Administrative costs as enumerated in Section 240.2050. This report shall be used by the Department as work papers in establishing statewide fixed-unit rates of reimbursement.

d) The accuracy of these reports must be attested to by an authorized representative of the provider/vendor. In addition, as part of the audit requirement in Section 240.2020, the vendor must submit to the Department a certified Public Accountant's (CPA's) opinion that the reports were prepared in accordance with generally accepted accounting principles and guidelines issued by

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the Department.

1) ~~The CPA's opinion on these statements may be limited to:~~

A) ~~the vendor used acceptable accounting methods to allocate costs, and~~

B) ~~the vendor's direct service worker costs are supported by vendor accounting records.~~

2) ~~The Department reserves the right to inspect the CPA's work papers.~~

e) The Department reserves the right to require the provider to engage an independent certified public accounting firm to verify the information and data submitted by the provider/vendor if the Department is in possession of evidence to suggest the information and data submitted is inaccurate, incomplete or fraudulent. This audit will be performed at the provider's vendor's expense.

(Source: Amended at 17 Ill. Reg. 6090, effective April 7, 1993)

Section 240.2050 Cost Categories for Chore-Housekeeping and Homemaker Services

Providers/vendors of chore-housekeeping and homemaker services for which fixed rates are established will provide for cost reporting based on the following categories:

a) Direct Service Worker costs (costs paid to or on behalf of direct service workers) which may include:

- 1) wages, time paid on behalf of the worker (i.e., vacation, sick leave, holiday and personal leave);
- 2) health coverage, life insurance, and disability insurance;
- 3) retirement coverage;
- 4) FICA;
- 5) uniforms;
- 6) workers compensation;

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7) FUTA;

8) travel time and travel reimbursement;

9) unemployment insurance; and

10) other costs approved, in advance, as direct service costs by the Department.

b) Administrative Costs:

1) personnel:

A) administrator;

B) assistant administrator;

C) accountant/bookkeeper;

D) clerical;

E) other office staff;

F) other personnel expenses;

2) consultant:

A) auditors;

B) management consultants;

C) management fees from the parent organization;

D) other related consultant costs;

E) other consultant expenses;

3) non-personnel:

A) office supplies;

B) office equipment (expense or depreciation based upon company policy);

C) telephone/telegraph;

D) conferences, conventions, meeting expenses;

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- E) subscriptions and reference materials;
- F) postage and shipping;
- G) advertising;
- H) outside printing and art work;
- I) membership dues;
- J) moving and recruiting;
- K) other general operating expenses;
- L) profit;
- 4) occupancy:
- A) depreciation;
- B) amortization of leasehold improvements;
- C) rent;
- D) property taxes;
- E) interest;
- F) other related occupancy costs.

- c) Program Support Costs which include all allowable costs not specifically made a part of direct service costs or administrative costs. These may include:

- ~~1) direct service worker travel reimbursement;~~
- 12) training expenses;
- 23) malpractice insurance;
- 34) direct service worker supervisor costs.

(Source: Amended at 17 Ill. Reg. 6090, effective April 7, 1993)

NOTICE OF ADOPTED RULES

- 1) The Heading of the Part: Emergency Community Services Homeless Grant Program
- 2) Code Citation: 47 Ill. Adm. Code 125
- 3) Section Numbers:
- | |
|------------------------|
| <u>Adopted Action:</u> |
| 125.10 New Section |
| 125.20 New Section |
| 125.30 New Section |
| 125.40 New Section |
| 125.50 New Section |
| 125.60 New Section |
| 125.70 New Section |
| 125.80 New Section |
| 125.90 New Section |
| 125.100 New Section |
| 125.110 New Section |
| 125.120 New Section |
| 125.130 New Section |
| 125.140 New Section |
- 4) Statutory Authority: Implementing Title VII, Subtitle D of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11461-11464 and 11472), as amended by P.L. 100-628, effective November 7, 1988 and P.L. 101-645, effective November 29, 1990) and the Illinois Economic Opportunity Act (Ill. Rev. Stat. 1991, ch. 127, pars. 2601 et seq., as amended by P.A. 87-926, effective August 26, 1992) [20 ILCS 625/1 et seq.] and authorized by Section 46.42 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1991, ch. 127, par. 46.42) [20 ILCS 605/46.42].
- 5) Effective Date of Rulemaking: April 5, 1993
- 6) Does this rulemaking contain an automatic repeal date? No.
- 7) Does this rulemaking contain incorporations by reference? Yes.
- 8) Date Filed in Agency's Principal Office: March 25, 1993.
- 9) Notice of Proposal Published in Illinois Register: December 11, 1992 - 16 Ill. Reg. 18879.
- 10) Has JCAR issued a Statement of Objections to this rulemaking? No.
- 11) Differences between proposal and final version: Only technical changes recommended by JCAR and the Administrative Code Division were made to this rulemaking.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes.

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13) Will this rulemaking replace an emergency amendment currently in effect? No.

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Rulemaking: This rulemaking establishes rules for the "Emergency Community Services Homeless Grant Program". These rules provide the program purpose, legislative base, and definitions applicable to the program. They also address the allocation of funds to grantees, eligible uses of funds, eligible grantees, required board structure, grant application requirements, termination of grantees and selection of successor agencies, client eligibility, administrative requirements, and a complaint process.

16) Information and questions regarding this rulemaking shall be directed to:

Mr. Norman Sims, Deputy Director
Department of Commerce and Community Affairs
Office of Policy Development, Planning & Research
620 East Adams Street, 6th floor
Springfield, Illinois 62701
Telephone Number: (217) 785-6174
T.D.D. Number: (217) 785-6055

The full text of the Adopted Rulemaking begins on the next page:

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

NOTICE OF ADOPTED RULES

TITLE 47: HOUSING AND COMMUNITY DEVELOPMENT
CHAPTER I: DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

PART 125

EMERGENCY COMMUNITY SERVICES HOMELESS GRANT PROGRAM

Section	Purpose and Scope
125.10	Incorporation by Reference
125.20	Legislative Base
125.30	Definitions
125.40	Allocation of Funds to Grantees
125.50	Eligible Use of Funds
125.60	Eligible Grantees
125.70	Required Board Structure
125.80	Grant Application Requirements
125.90	Grantee Termination
125.100	Selection of Successor Agency
125.110	Client Eligibility Requirements
125.120	Administrative Requirements
125.130	Complaint Process
125.140	

AUTHORITY: Implementing Title VII, Subtitle D of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11461-11464 and 11472, as amended by P.L. 100-628, effective November 7, 1988 and P.L. 101-645, effective November 29, 1990) and the Illinois Economic Opportunity Act (Ill. Rev. Stat. 1991, ch. 127, pars. 2601 et seq., as amended by P.A. 87-926, effective August 26, 1992) [20 ILCS 625/1 et seq.] and authorized by Section 46.42 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1991, ch. 127, par. 46.42) [20 ILCS 605/46.42].

SOURCE: Adopted at 17 Ill. Reg. 6180, effective April 5, 1993.

Section 125.10 Purpose and Scope

The purpose of this Part is to provide rules relative to the administration of the Emergency Community Services Homeless Grant Program (EHP) within the State of Illinois. The promulgation of clear-cut program rules for the EHP will ensure the maximum and efficient use of funds to provide urgently needed assistance to protect and improve the lives and safety of the homeless, with special emphasis on elderly persons, handicapped persons, native Americans, and families with children within the State.

Section 125.20 Incorporation by Reference

Any incorporation by reference in this Part of the rules and regulations of any agency of the United States or of standards of a nationally recognized

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organization or association includes no new amendments or editions made after the date specified.

Section 125.30 Legislative Base

a) Federal

- 1) On July 22, 1987, Congress passed the Stewart B. McKinney Homeless Assistance Act of 1987 (P.L. 100-77, effective July 22, 1987) which established fourteen separate programs to assist homeless persons, including the EHP.
- 2) The EHP was enacted as Subtitle D of Title VII of the Stewart B. McKinney Homeless Assistance Act (Act) (42 U.S.C. 11461-11464 and 11472), as amended by P.L. 100-628, effective November 7, 1988 and P.L. 101-645, effective November 29, 1990.
- 3) The U.S. Department of Health and Human Services (DHHS) through the Office of Community Services was authorized to make EHP grants to states that administered programs under the Community Services Block Grant (CSBG) Act (42 U.S.C. 9901 et seq.). Allocations to the states were made in accordance with the formula set forth in Section 674 (a)(1) of the CSBG Act.
- 4) Section 754 of the Act authorized an appropriation of \$50,000,000 for Subtitle D, for each of the fiscal years 1991, 1992, and 1993, and such sums as determined by Congress for the succeeding fiscal years to carry out the provisions of the Act.
- 5) States were eligible to receive funds under this Act on October 12, 1987.

b) State

The Act requires that funds appropriated for the EHP program be distributed to states that receive funds under the CSBG Act. The Department of Commerce and Community Affairs (Department) was designated by the Governor and has been operating the CSBG program since September 9, 1981. As part of its federal grant application to the DHHS for FY 87, the Department provided assurance that it would comply with the Act and DHHS regulations for the EHP (45 CFR 1080 - October 1, 1991 edition, as amended June 23, 1992 at 57 FR 27943-27946).

Section 125.40 Definitions

"Community Action Agency (CAA)" - A governmental or not-for-profit agency established to carry out anti-poverty activities and possessing a unique governing or administering board structure as cited in Section 125.80 of this Part.

"Equipment" - Nonexpendable personal property having a useful life of more than one year and an acquisition cost of \$1,000 or more per unit.

"Grant Document" - EHP grant document between the Department and the Grantee for a specific program period which details the

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responsibilities of each party.

"Grantee" - The local organization administering the CSBG/EHP in a specified geographic area.

"Homeless or Homeless Individual" -

An individual who lacks a fixed, regular, and adequate nighttime residence; and

An individual who has a primary nighttime residence that is: A supervised publicly or privately operated shelter designed to provide temporary living accommodations (including welfare hotels, congregate shelters, and transitional housing for the mentally ill);

An institution that provides a temporary residence for individuals intended to be institutionalized; or

A public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.

The term does not include any individual imprisoned or otherwise detained pursuant to an Act of the Congress or a State law.

"Near-Homeless Individual" - An individual who has received a notice of foreclosure, eviction or termination of utility services and is in imminent danger of losing his/her fixed, regular and adequate nighttime residence.

"Poverty" - Income levels which are at or below the poverty income guidelines published by the DHHS annually.

Section 125.50 Allocation of Funds to Grantees

In accordance with the DHHS Rules (45 CFR 1080.3) and Section 752(a) of the Act, the State shall allocate not less than 95% of the amount it receives to eligible Grantees who collectively represent all of Illinois' 102 counties and the City of Chicago. This allocation shall be based upon the Grantees' jurisdictional share of the State's poverty population. The remaining 5% of the allocation shall be used to defray State administrative costs. No amount allocated shall be used to supplant other programs for homeless individuals administered by the State.

Section 125.60 Eligible Use of Funds

EHP funds shall only be used for one or more of the following activities relating to assisting homeless and near-homeless individuals to become self-sufficient, contributing members of the local society. They are as follows:

a) Eligible Activities

- 1) Expansion of comprehensive services to homeless individuals to provide follow-up and long-term services to enable homeless individuals to make the transition out of poverty.

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- 2) Renovation of buildings to be used to provide such services, except that not more than 50% of the State's annual portion allocated to CAAs may be used for such purpose, and provided that all procedures required under the National Historic Preservation Act (16 U.S.C. 470f) are followed.
- 3) Provision of assistance in obtaining social and maintenance services and income support services for homeless individuals.
- 4) Promotion of private sector and other assistance to homeless individuals.
- 5) Provision of assistance to any individual who has received a notice of foreclosure, eviction or termination of utility services if:
 - A) The inability of the individual to make mortgage, rental, or utility payments is due to a sudden reduction in income;
 - B) The assistance is necessary to avoid the foreclosure, eviction or termination of utility services; and
 - C) There is a reasonable prospect that the individual will be able to resume the payments within a reasonable period of time.
- 6) Provision of, or referral to, violence counseling for homeless children and individuals, and the provision of violence counseling training to individuals who work with homeless children and individuals.
- b) Limitations

In accordance with 45 CFR 1080.5(b)(5), Grantees are limited to 25% of their EHP allocation for the activities specified in subsection (a)(5) of this Section.

Section 125.70 Eligible Grantees

The Department shall award 95% of all EHP funds it receives to:

- a) CAAs that are eligible to receive amounts under Section 675 (c)(2)(A) of the CSBG Act and
- b) Organizations serving migrant and seasonal farmworkers.

Section 125.80 Required Board Structure

For the purpose of this Part, the provisions governing required board structure found in 47 Ill. Adm. Code 120.70 are applicable.

Section 125.90 Grant Application Requirements

In preparing its application for funding assistance under the EHP, the grant applicant shall submit the following information:

- a) Annual Work Program - The work program shall narrate the objectives and activities proposed to be undertaken with grant funds. The work program shall detail specific annual objectives and the activities proposed to meet each objective, the agency responsible for carrying out the activity (if other than the grant applicant), and the costs

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- to be incurred in carrying out the activities (including non-EHP costs).
- b) Annual Budget - The grant budget shall be broken out by cost categories on the budget forms provided by the Department. The Department may require that a complete annual budget be submitted which provides budget detail on all programs and sources of funding if: there have been problems with past audits of the grant applicant, the Department has no experience in dealing with the grant applicant, the grant applicant lacks a cost allocation plan, or other related incidents have occurred making it necessary to obtain the additional information about the grant applicant.
 - c) Description of Program Linkages - The grant applicant shall state its major work activities which impact upon programs funded by EHP and indicate the manner in which the programs are coordinated within the agency to ensure that the multiple needs of the poor are being addressed.
 - d) Other Funds. (non-EHP) and Primary Sources(s) - The grant applicant shall list any other (non-EHP) funds being used to support any particular work program.
 - e) Statement of Coordination - The grant applicant shall outline its program of coordination with other agencies and community programs that impact its programs. The statement shall include coordination mechanisms established by the applicant and cite interagency agreements or contractual arrangements used to support coordinated service delivery. At a minimum, local coordination shall include Public Aid; the Job Training Partnership Act; General or Transitional Assistance; feeding programs; food pantries; shelter providers; and local church, social or civic groups providing services to homeless individuals.
 - f) Assurances and Certifications - As provided in the grant application, the grant applicant shall certify its compliance with all applicable State and federal laws and regulations dealing with the receipt and expenditure of grant monies.

Section 125.100 Grantee Termination

For the purpose of this Part, provisions governing Grantee termination as specified in 47 Ill. Adm. Code 120.55 are applicable.

Section 125.110 Selection of Successor Agency

For the purpose of this Part, the provisions governing Grantee selection found in 47 Ill. Adm. Code 120.60 are applicable.

Section 125.120 Client Eligibility Requirements

- a) Client eligibility for the EHP is limited to homeless and near-homeless individuals (as defined in Section 125.40 of this Part) in accordance with the following:

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- 1) The majority of the clients served (at least 51%) shall have incomes at or below the poverty level.
- 2) Assistance may also be provided to "low-income" clients whose incomes are at or below 125% of the poverty level.
- 3) Grantees may use up to 10% of their EHP funds to provide extreme emergency assistance to clients who are above the EHP income guidelines specified in subsections (a)(1) and (2) of this Section. This provision allows Grantees to provide urgently needed assistance to clients who are not poor but have fallen victim to natural or man-made disasters (e.g., floods, fires, tornadoes, accidents, crime). Special written authorization shall be obtained from the Department if the number of clients in this category will exceed 10% of the total EHP clients served in a grant period.
- b) Client income may be determined by actual annual income or a projection of income based on the prior 90 days, whichever is most beneficial to the client.

Section 125.130 Administrative Requirements

- a) Compensation - The Grantee cannot be reimbursed for costs which exceed the total approved budget. Budget line items within and between cost categories may be increased without prior approval by up to 20% when other line items or cost categories are reduced by corresponding monetary amounts in other categories. The administration cost category may only be reduced and the special cost category may only be increased. Equipment and contractual service line items shall not be increased without prior approval. The Department shall grant approval to modify budgeted amounts when the modification is necessary to achieve program objectives.
- b) Unexpended Funds - An EHP fund balance from the previous fiscal year shall be, subject to written approval of the Department, carried into the Grantee's succeeding fiscal year EHP program. The carry-over amount shall not exceed 20% of the Grantee's EHP allocation for the year in which the fund balance occurs. The carry-over funds shall not reduce the succeeding fiscal year allocation, but the succeeding year's work program shall reflect additional planned program achievements with reasonable probability of accomplishing those planned achievements so as to eliminate future substantive unexpended balances.
- c) Accounting Requirements - The Grantee's fiscal system shall provide for the accountability and management of grant funds in accordance with State requirements. The Grantee's financial management of EHP funds shall provide for accurate, current, and complete disclosure of the financial results of the program in accordance with generally accepted accounting principles of the American Institute of Certified Public Accountants (AICPA, June 1988). The Grantee shall keep financial records which detail the expenditure of grant funds and accurately document financial reporting to the Department. The

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- d) Monthly Reports - Grantees shall submit an expenditure report to the Department no less frequently than the fifteenth calendar day of each month after the first month of the grant period.
- e) Quarterly Reports - Grantees shall submit program reports to the Department by the 15th day following the end of each program quarter. Such reports shall meet the requirements of 45 CFR 1080.8 and shall be submitted on forms provided by the Department.
- f) Other Reports - Grantees shall submit other programmatic reports as may be required by the Department.
- g) Subcontracts and Subgrants - The Grantee's services, duties and responsibilities specified herein shall not be subcontracted or subgranted by the Grantee without prior written approval of the Department. Any subcontracts or subgrants shall comply with the provisions of the grant agreement, shall be in written form, and shall be submitted within 30 calendar days after execution for final approval.
- h) Nonexpendable Personal Property - The Grantee shall not purchase nonexpendable personal property costing \$1,000 or more without the Department's prior approval. The Grantee may hold title in its name to all equipment or nonexpendable tangible personal property purchased with grant funds for program operation subject to the following: It is understood that nonexpendable personal property purchased by the Grantee with funds provided under the grant and nonexpendable personal property received from the grantor shall not be the property of the Grantee but shall be held by it in trust for the benefit of the people of the State of Illinois. As such, the Grantee shall not sell, abandon or otherwise dispose of such property without the prior written approval of the Department. Equipment shall be used on the original project as long as needed. While being used on the original project, equipment may be available for "shared use" with other activities, provided that use will not interfere with its use for the original project. When no longer needed for the original purpose, equipment may be used for other projects subject to the Department's written approval. The Grantee shall maintain appropriate property records and annually conduct an inventory of all equipment or nonexpendable personal property purchased with grant funds. Upon the termination of the grant agreement and upon the election of the Department, the Grantee shall surrender possession of such property to the Department.
- i) Audits - The State requires an annual audit of each local Grantee's EHP program. These audits shall be conducted by auditors selected by the Grantee. Grantees classified as units of local government are subject to the Single Audit Act of 1984 (31 U.S.C. 7501-7507) and

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shall procure and manage their audits accordingly. Grantees which are nonprofits or institutions of higher learning shall conduct their audits in accordance with Office of Management and Budget Circular A-133 entitled "Audits of Institutions of Higher Education and Other Nonprofit Organizations", published in the Federal Register on March 1, 1991 at 56 FR 8712-8718. The audit shall be performed by an independent public accountant, certified and licensed by a regulatory authority of the State of Illinois. The audit shall be conducted in accordance with "Government Auditing Standards, Standards for Audit of Governmental Organizations, Programs, Activities, and Functions" (1988 revision) and the "Compliance Supplement for Single Audits of State and Local Governments" (April 1985). Further, the Department reserves the right to conduct special audits, at any time, of any funds expended under the grant agreement or of the Grantee's agency-wide financial statements. The Department shall have the right to examine corporate books and records which may be necessary to test the allocation equity of grant funds and to determine the ability of the Grantee to safeguard the funds. The Grantee shall fully cooperate, in a timely manner, in preparing for and conducting the audit and in the resolution of audit findings.

j) Monitoring and Evaluation - The Department will periodically monitor and evaluate the Grantee for compliance with the rules, regulations, and conditions governing the grant agreement. The Grantee shall be evaluated to gauge its impact upon the homeless community and for the effective and efficient utilization of EHP funds. Evaluations shall occur both during the operation of the program and upon its completion.

k) Nondiscrimination - For the purpose of this Part the provisions of 47 Ill. Adm. Code 120.90 are applicable.

Section 125.140 Complaint Process

In the event of an Applicant, Grantee, or EHP program eligible client complaint, the Department shall follow the procedures outlined in 47 Ill. Adm. Code 10, with the exception of complaints relating to funding termination of CAAs. Those complaints and appeals shall follow the process described in 47 Ill. Adm. Code 120.55 of the CSBG Rules.

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: HAZARDOUS WASTE INJECTION RESTRICTIONS

2) Code Citation: 35 Ill. Adm. Code 738

3) Section Numbers: Adopted Action:

738.101 Amendment
738.110 Amendment

4) Statutory Authority: Ill. Rev. Stat. 1991, ch. 111½, pars. 1013, 1022.4 and 1027 [415 ILCS 5/13, 22.4 and 27].

5) Effective Date of Amendments: April 5, 1993

6) Does this rulemaking contain an automatic repeal date?: No.

7) Does this amendment contain incorporations by reference? No.

8) Date Filed in Agency's Principal Office: Opinion and order adopted on February 4, 1993

9) Notice(s) of Proposal Published in Illinois Register: November 6, 1992; 16 Ill. Reg. 16770

10) Has JCAR issued a Statement of Objections to this (these) Rule(s)?

Section 13(c) of the Environmental Protection Act and Section 1-5(c)(1) of the Illinois Administrative Procedure Act [5 ILCS 100/1-1 et seq.] (APA) provide that this matter shall not be subject to first notice or to second notice review by JCAR.

11) Difference(s) between proposal and final version:

Section Discussion

738.101(d) "not" stricken from second line.

Board Note added.

12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreement letter issued by JCAR?

Section 13(c) of the Environmental Protection Act and Section 1-5(c)(1) of the APA provide that this matter shall not be subject to first notice or to second notice review by JCAR.

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13) Will this rule (amendments, repealer) replace an emergency rule currently in effect? No.

14) Are there any amendments pending on this Part? No.

15) Summary and Purpose of Rule(s):

The Board adopted an Opinion and Order in this matter, R92-13, on February 4, 1993. A copy of the Opinion is available from the address below.

Section 13(c) of the Environmental Protection Act requires the Board to adopt regulations which are "identical in substance" to regulations adopted by USEPA to implement Section 1421 of the federal Safe Drinking Water Act, which deals with underground injection control (UIC). The USEPA rules are in 40 CFR 144, 146 and 148. The Board rules are in 35 Ill. Adm. Code 702, 704, 705, 730 and 738.

The term "identical in substance" is defined in Section 7.2 of the Environmental Protection Act. Section 13(c) of the Environmental Protection Act and Section 1-5(c)(1) of the APA provide that this matter shall not be subject to first notice or to second notice review by JCAR.

This rulemaking updates the Board's UIC regulations to correspond with USEPA amendments appearing in the Federal Register during the period January 1 through June 30, 1992. The amendments at 57 Fed. Reg. 1109, January 10, 1992, approving the water-brine interface mechanical integrity test, result in no amendments to the Board rules. The other action was at 57 Fed. Reg. 8088, March 6, 1992, the most recent corrections to the "third third" land disposal restrictions, which are mainly addressed in R92-10.

Section

Discussion

738.101

The exemption for injection of diluted hazardous waste in Section 738.101(d) is the subject of pending litigation in Chemical Waste Management et al. v. USEPA, 976 Fed. 2d 2, decided September 25, 1992, in the U.S. Court of Appeals for the District of Columbia. This litigation may result in the repeal or modification of 40 CFR 148.1(d), from which this subsection is derived. The Board views any federal court decision on the effectiveness or enforceability of the USEPA rule as binding on this subsection.

738.110 Compliance dates have been omitted from the Board rule, since they are long past. This causes a complex federal rule to collapse to a simple ban at the state level.

16) Information and questions regarding this adopted amendment shall be directed to:

Morton F. Dorothy
Illinois Pollution Control Board
104 W. University
Urbana, IL 61801

217/ 333-5575

The full text of the adopted amendments begins on the following page:

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

TITLE 35: ENVIRONMENTAL PROTECTION

SUBTITLE G: WASTE DISPOSAL

CHAPTER I: POLLUTION CONTROL BOARD

SUBCHAPTER d: UNDERGROUND INJECTION CONTROL AND
UNDERGROUND STORAGE TANK PROGRAMS

PART 738

HAZARDOUS WASTE INJECTION RESTRICTIONS

SUBPART A: GENERAL

Section
738.101 Purpose Scope and Applicability
738.102 Definitions

738.103 Dilution Prohibited as a Substitute for Treatment
738.104 Case-by-Case Extensions of an Effective Date
738.105 Waste Analysis

SUBPART B: PROHIBITIONS ON INJECTION

Section
738.110 Waste Specific Prohibitions - Solvent Wastes
738.111 Waste Specific Prohibitions - Dioxin - Containing Wastes
738.112 Waste Specific Prohibitions - California List Wastes
738.114 Waste Specific Prohibitions - First Third Wastes
738.115 Waste Specific Prohibitions - Second Third Wastes
738.116 Waste Specific Prohibitions - Third Third Wastes

SUBPART C: PETITION STANDARDS AND PROCEDURES

Section
738.120 Petitions to Allow Injection of a Prohibited Waste
738.121 Required Information to Support Petitions
738.122 Submission, Review and Approval or Denial of Petitions
738.123 Review of Adjusted Standards
738.124 Termination of Adjusted Standards

AUTHORITY: Implementing Section 13 and 22.4 and authorized by Section 27 of the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 1013, 1022.4 and 1027) [415 ILCS 5/13, 22.4 and 27].

SOURCE: Adopted in R89-2 at 14 Ill. Reg. 3059, effective February 20, 1990; amended in R89-11 at 14 Ill. Reg. 11948, effective July 9, 1990; amended in R90-14 at 15 Ill. Reg. 11425, effective July 24, 1991; amended in R92-13 at 17 Ill. Reg. 6190, effective April 5, 1993.

Section 738.101

Purpose Scope and Applicability

SUBPART A: GENERAL

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a) This Part identifies hazardous wastes that are restricted from disposal into Class I hazardous waste injection wells and defines those circumstances under which a waste, otherwise prohibited from injection, may be injected.

b) The requirements of this Part apply to owners or operators of Class I hazardous waste injection wells used to inject hazardous waste.

c) Wastes otherwise prohibited from injection may continue to be injected:

- 1) If an extension from the effective date of a prohibition has been granted pursuant to Section 738.104; or
- 2) If an adjusted standard has been granted in response to a petition filed under Section 738.120; or
- 3) If the waste is generated by a conditionally exempt small quantity generator, as defined in 35 Ill. Adm. Code 721.105.

d) Wastes that are hazardous only because they exhibit a hazardous characteristic, and which are not otherwise prohibited from injection under this Part, are not prohibited from injection if the wastes:

- 1) Are disposed into a nonhazardous ~~or hazardous~~ waste injection well defined under 35 Ill. Adm. Code 730.106(a); and
- 2) Do not exhibit any prohibited characteristic of hazardous waste identified in 35 Ill. Adm. Code 721.Subpart C at the point of injection.

BOARD NOTE: The exemption for injection of diluted hazardous waste in this subsection (d) is the subject of pending litigation in Chemical Waste Management et al. v. USEPA, 976 Fed. 2d 2, decided September 25, 1992, in the U.S. Court of Appeals for the District of Columbia. This litigation may result in the repeal or modification of 40 CFR 148.1(d), from which this subsection is derived. The Board views any federal court decision on the effectiveness or enforceability of the USEPA

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rule as binding on this subsection.

BOARD NOTE: Derived from 40 CFR 148.1 ~~(1990)~~
(1991), as amended at 57 Fed. Reg. 8088,
March 6, 1992.

(Source: Amended at 17 Ill. Reg. 6190, effective
April 5, 1993)

SUBPART B: PROHIBITIONS ON INJECTION

Section 738.110 Waste Specific Prohibitions - Solvent Wastes

a) The spent solvent wastes specified in 35 Ill. Adm. Code 721.131 by the following EPA Hazardous Waste numbers are prohibited from underground injection:

F001
F002
F003
F004
F005

b) The requirements of subsection (a) above do not apply:

- 1) If the wastes meet or are treated to meet the standards of 35 Ill. Adm. Code 728.Subpart D; or
- 2) If an adjusted standard has been granted in response to a petition under Subpart C of this Part; or
- 3) During the period of extension of the applicable effective date if an extension has been granted under Section 738.Subpart D.

BOARD NOTE: Derived from 40 CFR 148.10 ~~(1990)~~
(1991), as amended at 57 Fed. Reg. 8088,
March 6, 1992.

(Source: Amended at 17 Ill. Reg. 6190, effective
April 5, 1993)

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: Medical Payment

2) Code Citation: 89 Ill. Adm. Code 140

3) Section Numbers: Adopted Action:

140.12 Amendment
140.485 Amendment
140.488 Amendment
140.642 Amendment

4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1991, ch. 23, par. 12-13)[305 ILCS 5/12-13]

5) Effective Date of Amendments: April 5, 1993

6) Does this rulemaking contain an automatic repeal date? No

7) Do these Amendments contain incorporations by reference? No

8) Date Filed in Agency's Principal Office: April 5, 1993

9) Notice of Proposal Published in Illinois Register:

Section 140.12

November 6, 1992 (16 Ill. Reg. 17049)

Section 140.485 and 140.488

October 30, 1992 (16 Ill. Reg. 16495)

Section 140.642

November 30, 1992 (16 Ill. Reg. 17956)

10) Has JCAR issued a Statement of Objections to these Adopted Amendments? No

11) Differences between proposal and final version: The following changes have been made in the proposed amendments.

Section 140.12

The labelling of subsections (h)(1)(i), (ii) and (iii) has been corrected and now reads subsections (h)(1)(A), (B) and (C).

The text of Section 140.12 has been updated to reflect amendments which were adopted effective December 1, 1992, at 16 Ill. Reg. 198146.

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No other changes have been made in Section 140.12.

Section 140.485

Subsection (d)(7)(A)(i) has been revised as follows:

The Department requires that lead screening shall be performed in compliance with the "Lead Poisoning Prevention Act, Public Act 87-175", as amended, effective January 1, 1992. Children between the ages of six months to six years should be screened for lead poisoning at priority intervals. Screenings and medical follow up shall be performed in accordance with the "Guidelines for the Detection and Management of Lead Poisoning for Physicians and Health Care Providers", published by the Illinois Department of Public Health. These Guidelines recommend that those children at highest risk be screened on a regular basis. High risk environmental situations include housing built before 1978, housing which is being renovated or remodeled, or which is in deteriorating condition. Children six years and older shall also be screened, where medically indicated or appropriate.

No other changes have been made in Section 140.485.

Section 140.488

No changes have been made in Section 140.488 as proposed.

Section 140.642

Subsection (a)(1) has been changed to read:

- (1) assessed through either the Department on Aging (DOA) or the Department of Rehabilitation Services (DORS) and certified by a licensed physician (Section 140.514). Individuals who need nursing care and do not appear to have developmental disabilities (DD) or mental illness (MI), as determined by a Level I Screen (see subsection (e) of this Section), are assessed through DOA and DORS; or

The first seven lines of subsection (a)(2) have been revised to read:

- (2) assessed through the Department of Mental Health and Developmental Disabilities (DMHDD) and certified by a licensed physician (Section 140.514). Individuals who appear to have DD and/or MI, as identified by a Level I Screen, are assessed through DMHDD designated preadmission screening (PAS) agents according to a comprehensive assessment, the Level II Screen (see subsection (e)(2) of this Section).

Subsection (b) has been changed to read:

- (b) A Level I Identification screening assessment (see subsection (e) of this Section) and, when indicated, a Level II screening assessment (see subsection (e)(2) of this Section) conducted by a DMHDD PAS agent, are required for a Medicaid eligible individual, including the individual who is enrolled as a Medicaid spenddown case, who:

Subsection (b)(5) has been changed to read:

- (5) has mental illness requiring psychiatric rehabilitation services, a substantial medical condition (see subsection (i) of this Section), is 60 years of age or older and requests admission to a nursing facility other than an ICF/MI;

In the first sentence of the Agency Note following subsection (b)(13), changes have been made to read:

Agency Note: The screening assessments in subsections (b)(6) and (7) of this Section can be a review of an existing Level I Screen which has been conducted during the previous 12 months, when the Screen remains valid and reliably reflects the status of the individual.

Subsection (d)(3) has been revised to read:

- (3) is absent from the facility for 30 days or more for therapeutic leave (Section 140.523) approved by the Department and returns to the same level of care at the same facility.

The latter part of the first sentence of subsection (e)(2) has been revised to read:

- (2) ...except when the individual has an exceptional circumstance which is exempt from the Level II Screen requirement (see subsection (e)(4)(B) of this Section).

In the second and third sentences of subsection (e)(4)(A), the following changes have been made:

- (A) ...However, the individual with possible exceptional circumstances must receive a Level II Screen (comprehensive assessment) before placement in a nursing facility, except in the specific circumstance noted in subsection (4)(B) below. An exceptional circumstance may only be determined following a Level II Screen by a DMHDD PAS agent (see subsection (f)(1) of this Section), for individuals with developmental disabilities

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who cannot participate in specialized services and for individuals with severe mental illness who cannot participate in psychiatric rehabilitation services, due to the severity of their medical conditions.

The last sentence in subsection (e)(4)(B) has been changed to read:

- (B) ...Certification by a physician must document the need for nursing facility services as specified in subsection (a)(1) of this Section.

Subsection (f)(1)(A) has been revised to read:

- (A) Mental retardation and related disorders shall include those conditions meeting the criteria described in subsection (g) below and Section 140. Table H.

Subsection (f)(1)(A)(ii) has been changed to read:

- (ii) When the assessment indicates the applicant requires the services of a nursing facility and cannot participate in specialized services due to the severity of a medical condition (see subsection (e)(4)(A) of this Section), the DMHDD PAS agent may authorize eligibility for the placement.

Subsection (f)(1)(B) has been changed to read:

- (B) Severe mental illness is described in subsection (j) of this Section.

The final line of subsection (f)(1)(B)(i) has been changed to read:

- (i) ...(see subsection (j)(5)(A) of this Section).

The latter part of subsection (f)(1)(B)(ii) has been revised to read:

- (ii) ...due to the severity of a medical condition (subsection (e)(4)(A) of this Section), the DMHDD PAS agent may authorize eligibility for the placement.

Line 2 of subsection (g)(2) has been revised by deleting the space in "Section 140. Table H" so that it reads "Section 140. Table H".

Subsection (i) has been changed to read:

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- (i) Need for Nursing Facility Services: The need for nursing facility services shall be established by an assessment (a DON, see subsection (e)(3) of this Section, or a Level II Screen, see subsection (e)(4) of this Section), which demonstrates an individual's need on the basis of a medical condition.

The final line of subsection (j)(5)(B) has been revised to read:

- (B) ...(see subsection (e)(4)(A) of this Section).

The first sentence of subsection (k)(1) has been revised to read:

- (1) A screening assessment (the Level II Screen, subsection (e)(2) of this Section, and the DON, subsection (e)(3) of this Section) is valid for 60 days from the date of the assessment.

No other changes have been made in Section 140.642.

- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

- 13) Will these Amendments replace Emergency Amendments currently in effect? No
Section 140.642

Yes

- 14) Are there any Amendments pending on this Part? Yes

Sections	Proposed Action	Illinois Register Citation
140.19	Amendment	January 8, 1993 (17 Ill. Reg. 62)
140.511	Amendment	November 20, 1992 (16 Ill. Reg. 17461)
140.539	Amendment	December 18, 1992 (16 Ill. Reg. 19665)
140.648	Amendment	November 13, 1992 (16 Ill. Reg. 17209)

- 15) Summary and Purpose of Amendments:

Section 140.12

These amendments prohibit medical providers from discriminating against medical assistance recipients on the basis of age and disability, when providing supplies and services. These changes are being made as the result of a compliance review of the Department conducted on May 15, 1991, by the Office for Civil Rights (OCR). The OCR stated in a letter of May 14, 1992, that a review finding shows the Department has not provided notice to long term care facilities of their obligation to admit and provide services for persons without regard to age.

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Therefore, Section 140.12 has been amended to prohibit discrimination on the basis of age and disability. Language has also been added to the rule requiring that medical providers fully comply with all applicable provisions of State and federal laws and regulations which pertain to nondiscrimination and equal employment opportunity.

Technical changes have been made to update language according to current Departmental usage. The term "Medical Eligibility Card" has been changed to "Mediplan Card" and "Certificate for Interim Medical Care - Emergency Services" has been changed to "Temporary Mediplan Card."

Section 140.485 and 140.488

These amendments to the Healthy Kids Program (Section 140.485), comply with the Lead Poisoning Prevention Act (Public Act 87-175). The amendments provide for the diagnostic procedure, blood lead screening, for children between six months and six years of age, at intervals prescribed by the Department of Public Health's "Guidelines for the Detection and Management of Lead Poisoning for Physicians and Health Care Providers." Screenings and medical follow-up will also occur in accordance with DPH's Guidelines. The Department will also pay for an epidemiological study of the living environment of a child identified as having an elevated blood lead level, to identify the source of exposure.

Section 140.488(f)(6) has been revised to delete the reference to Erythrocyte Protoporphyrin (EP) as a covered laboratory procedure. This change eliminates payment for an outdated method which does not detect low lead levels.

Technical changes have been made throughout Sections 140.485 and 140.488 to correct punctuation errors and eliminate numerical duplications. Numbers of ten or less are written as words, while larger numbers are expressed as numerals. The use of both methods of expression is being eliminated because it is repetitious and unnecessary.

Section 140.642

These amendments were filed to assist the Illinois Department of Mental Health and Developmental Disabilities (IDMHDD) with the placement of 184 persons who were residing in three State-operated, geriatric/psychiatric units which were to be closed by December 31, 1992 because of budgetary reasons. These persons are age 60 or more, have severe mental illness (MI) and require psychiatric rehabilitation services, and have substantial medical conditions. They need nursing facility services to ensure that their medical and nursing needs are fully addressed.

The settings available for the placement of persons with MI were restricted by requirements imposed by Section 140.642. This rule

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allowed for the placement of an individual with MI into a nursing facility which is not designated for MI services, only when the severity of his or her medical condition precludes participation in psychiatric rehabilitation services. Since the State-operated facility residents do need such services, changes were made in Section 140.642 to permit their entry into nursing facilities.

- 16) Information and questions regarding these Adopted Amendments shall be directed to:

Name: Joanne Jones
Address: Bureau of Rules and Regulations
Illinois Department of Public Aid
100 South Grand Avenue East, Third Floor
Springfield, Illinois 62762
Telephone: (217) 524-3215

The full text of the Adopted Amendments begins on the next page:

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SUBCHAPTER d: MEDICAL PROGRAMS

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6927, effective April 5, 1988; Sections 140.940 thru 140.972 recodified to 89 Ill. Adm. Code 149.5 thru 149.325 at 12 Ill. Reg. 7401; amended at 12 Ill. Reg. 7695, effective April 21, 1988; amended at 12 Ill. Reg. 10497, effective June 3, 1988; amended at 12 Ill. Reg. 10717, effective June 14, 1988; emergency amendment at 12 Ill. Reg. 11868, effective July 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 12509, effective July 15, 1988; amended at 12 Ill. Reg. 14271, effective August 29, 1988; emergency amendment at 12 Ill. Reg. 16921, effective September 28, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 16738, effective October 5, 1988; amended at 12 Ill. Reg. 17879, effective October 24, 1988; amended at 12 Ill. Reg. 18198, effective November 4, 1988; amended at 12 Ill. Reg. 19396, effective November 6, 1988; amended at 12 Ill. Reg. 19734, effective November 15, 1988; amended at 13 Ill. Reg. 125, effective January 1, 1989; amended at 13 Ill. Reg. 2475, effective February 14, 1989; amended at 13 Ill. Reg. 3069, effective February 28, 1989; amended at 13 Ill. Reg. 3351, effective March 6, 1989; amended at 13 Ill. Reg. 3917, effective March 17, 1989; amended at 13 Ill. Reg. 5115, effective April 3, 1989; amended at 13 Ill. Reg. 5718, effective April 10, 1989; Sections 140.850 thru 140.896 recodified to 89 Ill. Adm. Code 146.5 thru 146.225 at 13 Ill. Reg. 7040; amended at 13 Ill. Reg. 7025, effective April 24, 1989; amended at 13 Ill. Reg. 7786, effective May 20, 1989; Sections 140.94 thru 140.398 recodified to 89 Ill. Adm. Code 148.10 thru 148.390 at 13 Ill. Reg. 9572; emergency amendment at 13 Ill. Reg. 10977, effective July 1, 1989, for a maximum of 150 days; emergency expired November 28, 1989; amended at 13 Ill. Reg. 11516, effective July 3, 1989; amended at 13 Ill. Reg. 12119, effective July 7, 1989; Section 140.110 recodified to 89 Ill. Adm. Code 148.120 at 13 Ill. Reg. 12118; amended at 13 Ill. Reg. 12562, effective July 17, 1989; amended at 13 Ill. Reg. 14391, effective August 31, 1989; emergency amendment at 13 Ill. Reg. 15473, effective September 12, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 16992, effective October 16, 1989; amended at 14 Ill. Reg. 190, effective December 21, 1989; amended at 14 Ill. Reg. 2564, effective February 9, 1990; emergency amendment at 14 Ill. Reg. 3241, effective February 14, 1990, for a maximum of 150 days; emergency expired July 14, 1990; amended at 14 Ill. Reg. 4543, effective March 12, 1990; emergency amendment at 14 Ill. Reg. 4577, effective March 6, 1990, for a maximum of 150 days; emergency expired August 3, 1990; emergency amendment at 14 Ill. Reg. 5575, effective April 1, 1990, for a maximum of 150 days; emergency expired August 29, 1990; emergency amendment at 14 Ill. Reg. 5865, effective April 3, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 7141, effective April 27, 1990; emergency amendment at 14 Ill. Reg. 7249, effective April 27, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 10062, effective June 12, 1990; amended at 14 Ill. Reg. 10409, effective June 19, 1990; emergency amendment at 14 Ill. Reg. 12082, effective July 5, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 13262, effective August 6, 1990; emergency amendment at 14 Ill. Reg. 14184, effective August 16, 1990, for a maximum of 150 days; emergency amendment at 14 Ill. Reg. 14570, effective August 22, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 14826, effective August 31, 1990; amended at 14 Ill. Reg. 15366, effective September 12, 1990; amended at 14 Ill. Reg. 15981, effective September 21,

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1990; amended at 14 Ill. Reg. 17279, effective October 12, 1990; amended at 14 Ill. Reg. 18057, effective October 22, 1990; amended at 14 Ill. Reg. 18508, effective October 30, 1990; amended at 14 Ill. Reg. 18813, effective November 6, 1990; amended at 14 Ill. Reg. 20478, effective December 7, 1990; amended at 14 Ill. Reg. 20729, effective December 12, 1990; amended at 15 Ill. Reg. 298, effective December 28, 1990; emergency amendment at 15 Ill. Reg. 592, effective January 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 1051, effective January 18, 1991; Section 140.569 withdrawn at 15 Ill. Reg. 1174; amended at 15 Ill. Reg. 6220, effective April 18, 1991; amended at 15 Ill. Reg. 6534, effective April 30, 1991; amended at 15 Ill. Reg. 8264, effective May 23, 1991; amended at 15 Ill. Reg. 8972, effective June 17, 1991; amended at 15 Ill. Reg. 10114, effective June 21, 1991; amended at 15 Ill. Reg. 10468, effective July 1, 1991; amended at 15 Ill. Reg. 11176, effective August 1, 1991; emergency amendment at 15 Ill. Reg. 11515, effective July 25, 1991, for a maximum of 150 days; emergency expired December 22, 1991; emergency amendment at 15 Ill. Reg. 12919, effective August 15, 1991, for a maximum of 150 days; emergency expired January 12, 1992; emergency amendment at 15 Ill. Reg. 16366, effective October 22, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 17318, effective November 18, 1991; amended at 15 Ill. Reg. 17733, effective November 22, 1991; emergency amendment at 16 Ill. Reg. 300, effective December 20, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 174, effective December 24, 1991; amended at 16 Ill. Reg. 1877, effective January 24, 1992; amended at 16 Ill. Reg. 3552, effective February 28, 1992; amended at 16 Ill. Reg. 4006, effective March 6, 1992; amended at 16 Ill. Reg. 6408, effective March 20, 1992; amended at 16 Ill. Reg. 6849, effective April 7, 1992; amended at 16 Ill. Reg. 7017, effective April 17, 1992; amended at 16 Ill. Reg. 10050, effective June 5, 1992; amended at 16 Ill. Reg. 11174, effective June 26, 1992; expedited correction at 16 Ill. Reg. 11348, effective March 20, 1992; emergency amendment at 16 Ill. Reg. 11947, effective July 10, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 12186, effective July 24, 1992; emergency amendment at 16 Ill. Reg. 13337, effective August 14, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 15109, effective September 21, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 15561, effective September 30, 1992; amended at 16 Ill. Reg. 17302, effective November 2, 1992; emergency amendment at 16 Ill. Reg. 18097, effective November 17, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 19146, effective December 1, 1992; amended at 16 Ill. Reg. 19879, effective December 7, 1992; amended at 17 Ill. Reg. 837, effective January 11, 1993; amended at 17 Ill. Reg. 1112, effective January 15, 1993; amended at 17 Ill. Reg. 2290, effective February 15, 1993; amended at 17 Ill. Reg. 2951, effective February 17, 1993; amended at 17 Ill. Reg. 3421, effective February 19, 1993; amended at 17 Ill. Reg. 6196, effective April 5, 1993.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

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SUBPART B: MEDICAL PROVIDER PARTICIPATION/DRUG MANUAL

Section 140.12 Participation Requirements for Medical Providers

The provider shall agree to:

- a) Verify eligibility of recipients prior to providing each service by checking
 - 1) the ~~Medical-Eligibility~~ MediPlan Card, or
 - 2) the ~~Certificate-for-Interim-Medical-Care---Emergency-Services, Temporary MediPlan Card~~ which a recipient may present prior to his receipt of a regular ~~Medical-Eligibility~~ MediPlan Card;
- b) Allow recipients the choice of accepting or rejecting medical or surgical care or treatment;
- c) Provide supplies and services in full compliance with all applicable provisions of State and federal laws and regulations pertaining to nondiscrimination and equal employment opportunity including but not limited to:
 - 1) ~~In-full~~ Full compliance with Title VI of the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, color or national origin,
 - 2) ~~In-full~~ Full compliance with Section 504 of the Rehabilitation Act of 1973 and 45 CFR 84, which prohibit discrimination on the basis of handicap; and
 - 3) Without discrimination on the basis of religious belief, political affiliation, ~~or sex, age or disability~~;
- d) Comply with the requirements of applicable Federal and State laws and not engage in practices prohibited by such laws;
- e) Hold confidential, and use for authorized program purposes only, all Medical Assistance information regarding recipients;
- f) Furnish to the Department, in the form and manner requested by it, any information it requests regarding payments for providing goods or services, or in connection with the rendering of goods or services or supplies to recipients by the provider, his agent, employer or employee;
- g) Make charges for the provision of services and supplies to recipients in amounts not to exceed the provider's usual and customary charges

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Section 140.12(g) (continued)

and in the same quality and mode of delivery as are provided to the general public;

- h) Accept as payment in full the amounts established by the Department.
 - 1) If a provider accepts an individual eligible for medical assistance from the Department as a Medicaid recipient, such provider shall not bill, demand or otherwise seek reimbursement from that individual or from a financially responsible relative or representative of the individual for any service for which reimbursement would have been available from the Department if the provider had timely and properly billed the Department. For purposes of this subsection, "accepts" shall be deemed to include:
 - A) ~~i)~~ i) an affirmative representation to an individual that payment for services will be sought from the Department;
 - B) ~~ii)~~ ii) an individual presents the provider with his or her MediPlan card and the provider does not indicate that other payment arrangements will be necessary; or
 - C) ~~iii)~~ iii) billing the Department for the covered medical service provided an eligible individual.
 - 2) If an eligible individual is entitled to medical assistance with respect to a service for which a third party is liable for payment, the provider furnishing the service may not seek to collect from the individual payment for that service if the total liability of the third party for that service is at least equal to the amount payable for that service by the Department; and
 - i) Accept assignment of Medicare benefits for public aid recipients eligible for Medicare, when payment for services to such persons is sought from the Department.

(Source: Amended at 17 Ill. Reg. 6196, effective April 5, 1993)

SUBPART D: PAYMENT FOR NON-INSTITUTIONAL SERVICES

Section 140.485 Healthy Kids Program

a) Program Description

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Section 140.485(a) (continued)

Section 140.485 (continued)

- 1) The Healthy Kids Program is the Early and Periodic Screening, Diagnosis and Treatment Program mandated by the Social Security Act (see 42 U.S.C. 1396a(43), 1396d(4)(B)(Supp. 1987)). The goals of the program are to:
 - A) improve the health status of Medicaid-eligible children ages birth through 20 twenty-{20} years through the provision of preventive medical care and early diagnosis and treatment of conditions threatening the child's health; and
 - B) reduce the long term costs of medical care to eligible children.
- 2) The Department strives to achieve these goals by offering the following services at no cost to an eligible child, except as may be limited by a spend down requirement:
 - A) Periodic and interperiodic health, vision, hearing and dental screening services to meet the health care needs of children (see Section 140.488(a) through (d)).
 - B) immunizations against childhood diseases (see Section 140.488(e));
 - C) diagnostic laboratory procedures as described in Section 140.488(f).
 - D) further diagnosis or treatment necessary to correct or ameliorate defects and physical or mental illnesses or conditions which are discovered or determined to have increased in severity by a provider as the result of a periodic or interperiodic health, vision, hearing or dental screening.
 - E) referral for dental care beginning at age two {2}; and
 - F) assistance in locating a provider, scheduling an appointment and in arranging transportation to and from the source of medical care.
- 3) The Department also strives to protect each eligible person's right to freedom of choice regarding participation and selection of a health care provider and the right to continuity of care.

- b) Eligibility. Services are available to those persons listed in Section 140.3, except that such persons must be under 21 twenty-one {21} years of age at the time of receiving such services.
- c) Provider Participation. Providers of Healthy Kids services must be duly licensed or certified according to applicable Federal or State law or rule and be enrolled in the Illinois Medical Assistance Program to provide one or more Healthy Kids Program services as authorized in Title XIX of the Social Security Act and the Illinois Medical Assistance Program State Plan (as set forth in Sections 140.11 thru 140.835).
- d) Program Activities and Services
 - 1) Informing Clients. The Department shall inform eligible persons in writing about the benefits of preventive health care, the services which are available, and procedures by which eligible persons may request and receive assistance in identifying an enrolled provider, scheduling an appointment or arranging transportation to and from the source of medical care. Effective July 1, 1990, the Department shall also notify Medicaid-eligible pregnant women, postpartum women during the six {6} months after termination of pregnancy, women up to one {1} year postpartum who are breastfeeding their infants or children below the age of five {5} years of their potential eligibility for receiving services through the Special Supplemental Food Program for Women, Infants and Children which is administered by the Illinois Department of Public Health (IDPH). The informing of eligible persons shall be done as described in the Timeliness Standards contained in Section 140.487.
 - 2) Periodic Medical Screenings. The Department will pay for a series of periodic medical screenings scheduled from a person's birth through age 20 twenty-{20}. The Periodicity Schedule of screenings is contained in Section 140.488. The Department will pay for additional health screenings when necessary for:
 - A) enrollment in school; or
 - B) enrollment in a licensed day care program, including Headstart; or
 - C) placement in a licensed child welfare facility, including a foster home, group home or child care institution; or

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- D) attendance at a camping program; or
- E) participation in an organized athletic program; or
- F) enrollment in an early childhood education program recognized by the Illinois State Board of Education; or
- G) participation in a Women, Infant and Children (WIC) program; or
- H) is requested by a child's parent, guardian or custodian, or is determined to be necessary by social services, developmental, health, or educational personnel.

3) Dental Screenings

- A) Dental services shall include services for relief of pain and infections, restoration of teeth, and maintenance of dental health, including instruction in self care oral hygiene procedures.
- B) Eligible persons shall be referred for dental screenings beginning at age two (2) if the person is not in the continuing care of an enrolled dental provider, except that a child younger than age two (2) years may be referred for dental services when any health screening indicates the need for dental services.
- C) The periodicity schedule for dental screening services is contained in Section 140.488. The Department will pay for one (1) dental screening per age period unless a second screening is medically necessary.

4) Vision Screening

- A) The Department will pay for vision screening services, and diagnosis and treatment for defects in vision, including glasses.
- B) The periodicity schedule for vision screenings is contained in Section 140.488. The Department will pay for one (1) vision screening per age period, except when a second screening is determined to be medically necessary.

Section 140.485(d) (continued)

- 5) Hearing Screening. The Department will pay for hearing screenings and diagnosis and treatment for defects in hearing, including hearing aids. The periodicity schedule for hearing screenings is contained in Section 140.488. The Department will pay for one (1) hearing screening per age period, except when a second screening is determined to be medically necessary.
- 6) Immunizations. The Department will pay for the immunization of eligible children against childhood diseases. The list of covered immunizations is contained in Section 140.488(b).
- 7) Diagnostic Procedures

A) Lead Screening

- i) The Department requires that lead screening shall be performed in compliance with the "Lead Poisoning Prevention Act, Public Act 87-175", as amended, effective January 1, 1992. Children between the ages of six months to six years should be screened for lead poisoning at priority intervals. Screenings and medical follow up shall be performed in accordance with the "Guidelines for the Detection and Management of Lead Poisoning for Physicians and Health Care Providers", published by the Illinois Department of Public Health. These guidelines recommend that those children at highest risk be screened on a regular basis. High risk environmental situations include housing built before 1978, housing which is being renovated or remodeled, or which is in deteriorating condition. Children six years and older shall also be screened, where medically indicated or appropriate.
- ii) The Department will pay for lead screening as indicated in subsection (d)(7)(A)(i) above or as required for admission by a day care center, day care home, preschool, nursery school, kindergarten, or other child care facility or educational facility licensed by the State.
- iii) The Department will pay for epidemiological study of the child's living environment when the child has been diagnosed as having an elevated blood lead level for the purpose of identifying the source of lead exposure.

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Section 140.485(e)(3) (continued)

B) The Department will pay for the administration of all other medically necessary diagnostic procedures performed during or as the result of medical screenings.

8) Treatment. The Department shall pay for necessary medical care (see Section 140.2), diagnostic services, treatment or other measures medically necessary (e.g., medical equipment and supplies) to correct or ameliorate defects, and physical and mental illnesses and conditions which are discovered or determined to have increased in severity by medical, vision, hearing or dental screening services.

9) Assistance Services. The Department shall, upon request, provide assistance to eligible children and their parent, guardian or custodian to locate a provider, schedule an appointment or arrange transportation to and from the source of medical care.

10) Timeliness Standards. The Timeliness Standards in Section 140.487 will govern the completion of required activities and services.

e) Reimbursement to Providers

1) Fee-for-service. Payment will be made at the provider's usual and customary charges or the established Department rate(s) (see Section 140.400), whichever is less. Reimbursement for immunizations administered to an eligible person will be made in one of two ways at the choice of the provider:

A) The provider will receive payment for the cost of the vaccine and administration at rates established by the Department; or

B) The provider will receive payment for administering the immunization at a rate established by the Department and receive replacement vaccine(s) as explained in subsection (e)(3).

2) Claims. Claims for reimbursement shall be submitted on the form and in a manner specified by the Department.

3) Vaccine Replacement Program. When a provider requests, either verbally or in writing, to receive replacement vaccines as part of reimbursement as discussed in subsection (e)(1), the

vaccine(s) are replaced to the provider through the Vaccine Replacement Program which is administered jointly by the Department and the IDPH. Providers must be annually certified for participation in the Vaccine Replacement Program by IDPH before receiving replacement vaccines. Information on the Vaccine Replacement Program and certification procedures (set forth at 42 CFR 51b) may be obtained by contacting:

Immunization Vaccine Replacement Program
Illinois Department of Public Health
525 West Jefferson Street
Springfield, Illinois 62761

f) Limitations on Services. Services under the Healthy Kids Program shall only be available to persons in the age groups from birth through age 20 twenty-~~two~~^{two}. Coverage of and payments for services shall be consistent with the requirements of Section 1905 of the Social Security Act (42 U.S.C. 1396d) as it relates to the Early and Periodic Screening, Diagnosis and Treatment Program.

g) Record Requirements. The provider shall comply with record requirements as set forth in Section 140.28.

(Source: Amended at 17 Ill. Reg. 6196, effective April 5, 1993)

Section 140.488 Periodicity Schedule Schedules, Immunizations and Diagnostic Laboratory Procedures

a) Health Screening Periodicity Schedule. Eligible clients may receive one (1) periodic health screening during each of the following time periods, except a second screening may be given as explained in Section 140.485(d)(2):

- 1) Birth to two 02 weeks;
- 2) two 02 weeks to one 01 month;
- 3) one 01 to two 02 months;
- 4) two 02 to four 04 months;
- 5) four 04 to six 06 months;
- 6) six 06 to nine 09 months;

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- 7) nine 09 to 12 months;
- 8) 12 to 15 months;
- 9) 15 to 18 months;
- 10) 18 to 24 months;
- 11) two 02 to three 03 years;
- 12) three 03 to four 04 years;
- 13) four 04 to five 05 years;
- 14) five 05 to six 06 years;
- 15) six 06 to eight 08 years;
- 16) eight 08 to ten 10 years;
- 17) ten 10 to 12 years;
- 18) 12 to 14 years;
- 19) 14 to 16 years;
- 20) 16 to 18 years; and
- 21) 18 to 21 years.

b) Vision Screening Periodicity Schedule

- 1) Vision screening using age appropriate methods shall be part of all periodic or interperiodic health screenings.
- 2) Beginning at age three (3) through 20 twenty-(20) years, the Department will pay for one vision screening performed by a qualified provider per year for an eligible child. However, the Department will pay for other such screenings when medically necessary, regardless of a child's age or medical history.
- c) Hearing Screening Periodicity Schedule
- 1) Hearing screening using age appropriate methods shall be part of all periodic or interperiodic health screenings.

Section 140.488(c) (continued)

- 2) Beginning at age one (1) year for children at high risk for hearing problems and age three (3) years for all other children, the Department will pay for one hearing screening performed by a qualified provider per year for an eligible child. However, the Department will pay for other such screenings when medically necessary, regardless of a child's age or medical history.
- d) Dental Screenings Periodicity Schedule
 - 1) Examination of a child's oral cavity, including the status of the teeth and gums, shall be part of each periodic or interperiodic health screening.
 - 2) Beginning at age two (2) through 20 twenty-(20) years, the Department will pay for one clinical oral examination per year and oral prophylaxis not more frequently than once every six (6) months performed by an enrolled dentist. However, the Department will pay for other such services when medically necessary, regardless of a child's age or medical history.
 - e) Immunizations. The following immunizations are available to eligible clients:
 - 1) Diphtheria-Tetanus-Pertussis (DPT) 1;
 - 2) DPT 2;
 - 3) DPT 3;
 - 4) DPT Booster 1;
 - 5) DPT Booster 2;
 - 6) Oral Polio Vaccine (OPV) 1;
 - 7) OPV 2;
 - 8) OPV 3;
 - 9) OPV Booster 1;
 - 10) OPV Booster 2;
 - 11) Diphtheria-Tetanus (Td) 1;

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- 12) Td 2;
 - 13) Td 3;
 - 14) Td Booster 1;
 - 15) Td Booster 2;
 - 16) Measles;
 - 17) Rubella;
 - 18) Mumps;
 - 19) Measles/Mumps/Rubella (M/M/R);
 - 20) Measles/Rubella; and
 - 21) Haemophilus b Conjugated.
- f) Diagnostic Laboratory Procedures. The Department will pay for covered diagnostic laboratory procedures as medically necessary including but not limited to:
- 1) Urinalysis, routine (ph specific gravity protein tests for reducing substances such as glucose), with microscopy;
 - 2) Urinalysis routine without microscopy;
 - 3) Chemical, qualitative, any number of constituents;
 - 4) Cholesterol, serum; total;
 - 5) Cholesterol, serum; total and ester;
 - 6) Lead Screening, Blood Lead; ~~Erythrocyte-Protoporphyrin-(EP)+~~
 - 7) Gonadotropin, chorionic quantitative pregnancy test;
 - 8) Gonadotropin, chorionic qualitative pregnancy test;
 - 9) Hematocrit;
 - 10) Hemoglobin Colorimetric;

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- 11) Sickie RBC, reduction slide method;
- 12) Hemoglobin Electrophoresis;
- 13) Sickie Hemoglobin;
- 14) Tuberculosis intradermal;
- 15) TB Tine Test;
- 16) Syphilis Test, qualitative;
- 17) GC Culture Test, bacterial screening only;
- 18) Culture presumptive, pathogenic organisms screening only;
- 19) Culture, multiple organisms;
- 20) Urine culture colony count;
- 21) Urine bacteria count, commercial kit;
- 22) Urine bacteria culture, identification, in addition to colony count and commercial kit;
- 23) Chlamydia Culture;
- 24) Pap Smear, Cytopathology;
- 25) Epidemiological study of a child's living environment when a child has been diagnosed as having an abnormally high blood lead level;
- 26) Denver Developmental Screening Test; and
- 27) Other developmental tests which may be approved by the Department.

(Source: Amended at 17 Ill. Reg. 6196 effective April 5, 1993)

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SUBPART E: GROUP CARE

Section 140.642. Screening Assessment for Long Term Care and Alternative Residential Settings and Services

a) Prior to the authorization of payment by the Department of Public Aid, for the care of an individual who is newly approved or admitted into a facility (SNF, ICF, ICF/MR (89 Ill. Adm. Code 101.20), ICF/MR with a SNF/PED license (89 Ill. Adm. Code 144.5(a)), or ICF/MI (subsection (j)) which provides long term care services, the individual's need for such services must be:

- 1) assessed through either the Department on Aging (DOA) or the Department of Rehabilitation Services (DORS) and certified by a licensed physician (89-III-Adm.-Code Section 140.514). Individuals who need nursing facility care and do not appear to have developmental disabilities (DD) or mental illness (MI), as determined by a Level I Screen (see subsection (e) of this Section), are assessed through DOA and DORS; or
- 2) assessed through the Department of Mental Health and Developmental Disabilities (DMHDD) and certified by a licensed physician (89-III-Adm.-Code Section 140.514). Individuals who appear to have developmental disabilities (DD) and/or mental illness MI, as identified by a Level I Screen, are assessed through DMHDD designated preadmission screening (PAS) agents according to a comprehensive assessment, the Level II Screen (see subsection (e)(2) of this Section). In the case of an individual, with developmental disabilities (DD) who is determined to be eligible for ICF/MR services, the physician certification must be in accord with Medicaid standards which identify assessment criteria used to establish the need for services in a facility for persons with DD (42 CFR 435.1009).

Agency Note: The acronym ICF/MR which is used in this Section includes ICF/MR-15 and SLC (89 Ill. Adm. Code 144.5(a)). The term developmental disability (DD) means mental retardation or a related condition.

b) A Level I Identification screening assessment (see subparagraph (e) of this Section) and, when indicated, a Level II screening assessment (see subsection (e)(2) of this Section) conducted by a DMHDD PAS agent, are required for a Medicaid eligible individual, including the individual who is enrolled as a Medicaid spenddown case, who:

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- 1) is residing in a SNF, ICF, ICF/MR, or ICF/MR (SNF/PED license) at the time of becoming eligible for Medicaid benefits and an assessment has not occurred during the 60 days prior to such eligibility;
- 2) is Medicaid eligible, requests to be admitted to a SNF, ICF, ICF/MR, or ICF/MR (SNF/PED license), and did not previously reside in the facility (except as described in subsections (c) and (d);
- 3) is absent from a SNF, ICF, ICF/MR, ICF/MR (SNF/PED license), or ICF/MI for a period of 30 days or more, and the reason for the absence was not to receive medical services;
- 4) has mental illness and requests or requires admission to an ICF/MI;
- 5) has mental illness requiring psychiatric rehabilitation services, a substantial medical condition (see subsection (i) of this Section), is 60 years of age or older and requests admission to a nursing facility other than an ICF/MI;
- 5)6) transfers between facilities at the same level of care (i.e., ICF to ICF);
- 6)7) transfers between facilities to a different level of care (i.e., ICF to SNF, ICF/MR to ICF, ICF/MI to SNF);
- 7)8) transfers from a sheltered care setting (89 Ill. Adm. Code 113.254 and 113.255) to a different level of care (i.e., sheltered care to ICF or ICF/MR);
- 8)9) requests to be admitted to a different level of care following an absence of less than 30 days;
- 9)10) has mental illness, mental retardation, or a related condition and transfers between facilities at the ICF or SNF level of care;
- 10)11) is currently residing in Illinois and is approved by the Department for placement in an out-of-state facility;
- 11)12) is currently residing in an ICF/MI on a private pay basis, is between the ages of 22-64, and applies for eligibility for services; or

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12) 13 is currently residing in an ICF/MI, has reached age 65, and applies for Medicaid eligibility.

Agency Note: The screening assessments in subsections (b)(5)(6) and (6)(7) of this Section above can be a review of an existing Level I Screen which has been conducted during the previous 12 months, when the Screen remains valid and reliably reflects the status of the individual. However, when the Level I Screen indicates the individual has developmental disabilities or severe mental illness, a Level II Screen must be conducted as a part of the transfer process.

c) A screening assessment is not required for an individual who:

- 1) will be receiving sheltered care services;
- 2) is admitted into a facility on a provisional basis for no more than 30 days during an emergency situation in which an accurate diagnosis cannot be made; or
- 3) is an Illinois resident and is approved for placement by the Department in an out-of-state facility, when already residing or placed (i.e., a hospital) in that state. In such cases, the location (state) of the potential placement is responsible for the screening assessment of the individual.

d) A new screening assessment is not required for an individual who is currently eligible for ICF, SNF, ICF/MI, ICF/MR or ICF/MR (SNF/PED license) services and who:

- 1) is absent from the facility for less than 30 days and returns to the same level of care at the same facility;
- 2) is absent from the facility for 30 days or more to receive inpatient hospital services and returns from the hospital to the same level of care at the same facility;
- 3) is absent from the facility for 30 days or more for therapeutic leave (Section 140.523) approved by the Department and returns to the same level of care at the same facility.

e) Level I Identification (ID) Screen

- 1) The Level I ID Screen is the first phase of the preadmission screening process. This screening process must be completed for all Medicaid or Medicaid eligible individuals who enter long

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Section 140.642(e)(1) (continued)

term care facilities. The screening process is conducted to determine if there is a reasonable basis for suspecting that an applicant has a developmental disability (DD) or severe mental illness (MI). This determination is required to assure that individuals with developmental disabilities or severe mental illness are placed into settings which provide the services they require and to prevent the inappropriate admissions of such persons into nursing facilities. Entities authorized to complete the Level I ID screen are agents of DMHDD, DOA, DORS, hospitals, or nursing facilities.

2) If the Level I ID Screen indicates that an individual may have a developmental disability and/or severe mental illness, a comprehensive assessment, the Level II Screen, is conducted by DMHDD designated preadmission screening (PAS) agents concerning the level of care needed and the need for active-treatment-of-specialized services or psychiatric rehabilitation services, except when the individual has an exceptional circumstance which is exempt from the level II Screen requirement (see subsection (e)(4)(B) of this Section. The individual who is age 60 or more may elect not to receive active-treatment-of-specialized services or psychiatric rehabilitation services. The individual is then referred to DOA for screening following the Level II Screen.

3) If the Level I ID Screen does not identify a reasonable basis for suspecting a developmental disability or severe mental illness, the applicant is referred to DOA or DORS for a Determination of Need (DON) to assess the need for nursing facility services if there is a possibility that the applicant requires the services of a nursing facility.

4) Exceptional Circumstances

- A) Exceptional circumstances, Level II Screen required. There are some exceptional circumstances which may allow an individual with a developmental disability to be admitted into a nursing facility, and an individual with severe mental illness to be admitted into a nursing facility which is not designated as an ICF/MI. However, the individual with possible exceptional circumstances must receive a Level II Screen (comprehensive assessment) before placement in a nursing facility, except in the specific circumstance noted in subparagraph subsection (4)(B) below. An exceptional circumstance may only be determined following a

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Section 140.642(e)(4)(A) (continued)

Level II Screen by a DMHDD PAS agent (see subsection (f) (1) of this Section), for individuals with developmental disabilities who cannot participate in active-treatment specialized services and for individuals with severe mental illness who cannot participate in specialized services psychiatric rehabilitation services, due to the severity of their medical conditions. Exceptional circumstances as determined by a Level II Screen include, but are not limited to:

- i) chronic obstructive pulmonary disease;
- ii) severe Parkinson's disease;
- iii) amyotrophic lateral sclerosis;
- iv) congestive heart failure;
- v) ventilator dependence; and
- vi) a primary diagnosis of dementia, including Alzheimer's disease, in the case of the individual with developmental disabilities.

B) Exceptional circumstances, Level II Screen exemption. Some individuals with a developmental disability and/or severe mental illness, who cannot benefit from active-treatment-of specialized services or psychiatric rehabilitation services respectively, may be admitted to a nursing facility without receiving a Level II Screen by a DMHDD PAS agent. Following are the exceptional circumstances which are exempt from the Level II Screen requirement. Certification by a physician must document the need for nursing facility services as specified in subsection (a)(1) of this Section.

- i) coma;
- ii) function at the brain stem level only;
- iii) terminal illness with a life expectancy of six months or less;
- iv) convalescent care (a medically prescribed period of recovery, following acute care, not to exceed 120 days); and

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Section 140.642(e)(4)(B) (continued)

v) a primary diagnosis of dementia, including Alzheimer's disease, in the case of the individual with severe mental illness.

f) Designated Screening Agents

1) DMHDD or its designated agents (PAS agents) shall perform a Level II Screen for all applicants for long term care for whom there is a reasonable basis to suspect mental retardation or related conditions, or severe mental illness.

A) Mental retardation and related disorders shall include those conditions meeting the criteria described in subsection (g) below and Section 140. Table H.

i) DMHDD PAS agents who have screened an applicant found to have mental retardation or a related condition, in need of active-treatment specialized services, may authorize eligibility for placement into an ICF/MR or an ICF/MR (SNF/PED license) level of care, or refer the applicant to a State operated ICF/MR, a home and community-based waiver program for persons with developmental disabilities, or other community residential settings such as a Community Integrated Living Arrangement (CILA) which is under the direction and oversight of DMHDD.

ii) When the assessment indicates the applicant requires the services of a nursing facility and cannot participate in active-treatment specialized services due to the severity of a medical condition (see subsection (e)(4)(A) of this Section), the DMHDD PAS agent may authorize eligibility for the placement.

iii) For the individual with mental retardation or a related condition, a Qualified Mental Retardation Professional (QMRP) (89 Ill. Adm. Code 144.275 (b)(1)) serves as the DMHDD PAS agent who summarizes the final screening assessment and authorizes eligibility for placement.

iv) The particular placement identified for any applicant will depend upon the identified program's capacity to meet the individual's need for active-treatment specialized services and, if present, medical/health needs. An individual with developmental disabilities

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Section 140.642(f)(1)(A)(iv) (continued)

whose overall level of functioning is in the mild range of mental retardation and who is generally independent, does not need active-treatment specialized services and may not be placed into an ICF/MR or in a home and community-based waiver setting. Other community residential options are appropriate for such individuals.

B) Severe mental illness is described in subsection (j) of this Section.

i) DMHDD PAS who have screened an applicant found to have severe mental illness may: authorize eligibility for placement into an ICF/MR level of care or refer the applicant to other community residential settings if the applicant has need of psychiatric rehabilitation services; authorize placement into a nursing facility if the person is 60 years of age or older, requires psychiatric rehabilitation services and has a substantial medical condition; or refer the applicant to a State operated facility for persons with severe mental illness who need active-treatment specialized services (see subsection (j)(5)(A), or other community residential setting such as a CITA which is under the direction and oversight of DMHDD of this Section).

ii) When the assessment indicates the applicant requires the services of a nursing facility which is not designated as an ICF/MR and cannot participate in specialized services psychiatric rehabilitation services due to the severity of a medical condition (subsection (e)(4)(A) of this Section), the DMHDD PAS agent may authorize eligibility for the placement.

iii) For the individual with severe mental illness (MI), a Qualified Mental Health Professional (QMHP) (89 Ill. Adm. Code 147.345 (c)(2)) serves as the DMHDD PAS agent who summarizes the final screening assessment and authorizes eligibility for placement.

iv) The particular placement identified for any applicant will depend upon the identified programs' capacity to meet the individual's need for specialized services of active-treatment psychiatric rehabilitation services or specialized services, and if present, medical/health needs.

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2) DORS staff or its designated agents will screen (DON) all applicants for ICF or SNF services, between the ages 18 and 59, who do not meet the criteria for screening and placement by DMHDD PAS agents (Level II Screen). An applicant screened by DORS or its designated agents (Level I Screen DON), who is suspected of having a developmental disability or severe mental illness, must be referred to a DMHDD PAS agent for a Level II Screen before placement into a facility or authorization for a DORS home and community-based waiver setting. When an applicant is determined not to have a developmental disability requiring active-treatment specialized services or severe mental illness following a PAS-Level II Screen, he/she will be referred to DORS for placement. When it is determined that an applicant has a developmental disability requiring active-treatment specialized services or severe mental illness following a level II Screen, he/she will be placed by a DMHDD PAS agent.

3) DOA or its designated agents will screen (DON) all applicants for ICF or SNF services aged 60 or over who do not meet the criteria for screening by DMHDD PAS agents (Level II Screen). An applicant screened by DOA or its designated agents, who is suspected of having a developmental disability or severe mental illness, must be referred to a DMHDD PAS agent for a Level II Screen before placement into a facility or authorization for a DOA home and community-based waiver setting. When an applicant is determined not to have a developmental disability requiring active-treatment specialized services or severe mental illness following a PAS-Level II Screen, he/she will be referred to DOA for placement. When an applicant is determined by a Level II Screen to have a severe mental illness and/or a developmental disability he/she may be placed by DMHDD unless the applicant elects not to receive active-treatment psychiatric rehabilitation services or specialized services (subsection see (e)(2) of this Section).

4) No screening agent may limit an eligible applicant's opportunity to receive services from any facility appropriately certified and licensed to provide those services, or any community residential setting appropriate to provide them.

5) DPA, as the State Medicaid agency, bears ultimate responsibility for the proper operation of the PASARR (Preadmission Screening and annual Resident Review) program in Illinois. Therefore, DPA may withdraw screening authority from an individual agent if it determines that the agent is not accurately applying screening

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Section 140.642(f)(5) (continued)

Section 140.642(h) (continued)

criteria or conforming to procedures as described in this Section. In such an event, DPA will first request the responsible Department to implement corrective actions. If the screening agent remains out of compliance ninety days following this request, DPA may designate an alternative agent to conduct screenings until the affected agent implements a plan of correction acceptable to DPA or the associated Department designates a new agent.

Agency Note: OBRA-87 requirements prohibit the admission of individuals with a primary diagnosis of mental retardation into non-ICF/MR facilities. Therefore, SNF/PED facilities which meet ICF/MR certification requirements must be certified ICF/MR by December 31, 1989, in order to comply with federal requirements when admitting individuals with mental retardation. Facilities which undergo certification conversion to ICF/MR will retain State licensure for SNF/PED services.

g) Need for ICF/MR Services

- 1) The need for ICF/MR services shall be established through a comprehensive assessment, the Level II Screen, that demonstrates that the individual has mental retardation or a related condition manifested before age 22, which is likely to continue indefinitely, and results in functional limitations so substantial that the individual performs at or below the "Eligible" level in three or more of the six (6) areas of major life activity as set forth in Section 140.642(h). Related conditions can include autism, cerebral palsy and seizure disorders, but do not include mental illness. Functional limitations with respect to mental retardation and related conditions are not limitations which are attributable to mental illness.

- 2) No applicant for ICF/MR services meeting the above criteria and the criteria in Section 140.642(h) shall be found to be inappropriate for such services due to a need for the treatment of a severe or profound sensory handicap, motor deficit, or mental retardation; nor shall such an applicant be denied ICF/MR services due to age, medical needs, or maladaptive behavior, except as otherwise described in this Section.

h) Need for ICF/MR (SNF/PED License) Services

- 1) ICF/MR (SNF/PED license) services will only be approved for individuals who are under the age of 21 at the time of admission to the facility.
- 2) The need for such services shall be established through a comprehensive assessment, the Level II Screen, that demonstrates that the individual has a medical (physical) condition requiring skilled level nursing care; or has mental retardation or a related condition and/or a severe medical or physical disability or a combination of severe disabilities.

i)

Need for Nursing Facility Services: The need for nursing facility services shall be established by an assessment (a DON, see subsection (e)(3) of this Section, or a Level II Screen, see subsection (e)(4) of this Section), which demonstrates an individual's need on the basis of a medical condition. ~~In Illinois, nursing facilities are licensed for intermediate-level nursing care and skilled-level nursing care.~~

- 1) In Illinois, nursing facilities are licensed for intermediate level nursing care and skilled level nursing care.

1A) Intermediate (ICF) level nursing care is that needed for medical conditions which require medical or nursing care below a skilled level and which prevent independent living in the absence of such care. Individuals with stabilized conditions requiring basic nursing care or other restorative services under periodic medical direction are appropriate for intermediate level care.

2B) Skilled (SNF) level nursing care is that needed for medical conditions requiring 24-hour nursing care or intensive medical treatment, such as care for post-operative or bedfast patients, and care for those in need of special medical equipment or constant monitoring by a professional nurse. A need for a high level of personal care assistance does not meet the criteria for skilled level care.

- 2) A nursing facility, other than an ICF/MR, may admit an individual with a severe mental illness requiring psychiatric rehabilitation services if the person is 60 years of age or older and has a substantial medical condition.

A) A substantial medical condition for individuals 60 years of age or older who are determined to need psychiatric rehabilitation services is a diagnosed medical condition that requires the intervention of licensed practical nurses or registered nurses in accordance with instruction under a

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Section 140.642(i)(2)(A) (continued)

physician's care plan for the treatment of the diagnosed medical condition.

- B) Personal care assistance is not a sole basis for a substantial medical condition nor need for placement into a nursing facility for a person with a severe mental illness.
- J) Need for ICF/MI Services: An ICF/MI is a nursing facility which is designated to admit individuals with severe mental illness who are in need of specialized-services psychiatric rehabilitation services. Individuals admitted into an ICF/MI are screened by a DMHDD PAS agent who determines that, because of the individual's severe mental illness, he/she can derive benefit from placement into a nursing facility designated as an ICF/MI. The need for ICF/MI services shall be established through a comprehensive assessment, the level II Screen, which includes a diagnosis that the individual has a severe mental illness, (and does not have a primary diagnosis of dementia, including Alzheimer's disease or a related disorder), resulting in substantial functional limitations for that individual which necessitate specialized services.

1) Diagnoses that constitute a severe mental illness are:

- A) Schizophrenia, including
- i) Catatonic
 - ii) Disorganized
 - iii) Paranoid
 - iv) Undifferentiated
 - v) Residual
- B) Delusional (Paranoid) Disorder
- C) Schizoaffective Disorder
- D) Psychotic Disorder, not otherwise specified (atypical psychosis)
- E) Bipolar Disorders
- i) Bipolar Disorder - Mixed, Manic, and Depressed

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- ii) Cyclothymia

iii) Bipolar Disorder not otherwise specified

- F) Major Depression, recurrent

2) Severe mental illness may be described by examples of functional characteristics. The following descriptions may reflect varying intensity levels of severe mental illness:

A) Level I - The individual with this intensity level of severe mental illness experiences minor distortions of thinking with little disturbance in activities of daily living. With the provision of specialized-services psychiatric rehabilitation services, the individual may be able to live independently in the community and engage in employment. The individual is capable of learning to accept direction, maintaining adequate interpersonal relationships and concentrating on a task for a sufficient period of time. Under occasional conditions of particular internal, social or economic stress, the person may require follow-up supervision, guidance or support.

B) Level II - The individual with this intensity level of severe mental illness experiences definite disturbances of thinking with definite but mild disturbances in behavior. At least initially, the individual will require continuing supervision, guidance, motivation and support. A misunderstanding of instructions, limited activity, self-isolation or an over-reaction in gestures, speech and emotion may be displayed on a regular basis. Specialized services Psychiatric rehabilitation services may allow such persons to become capable of maintaining themselves more independently within a ICF/MI or may allow them to gain the skills and behaviors needed to live in a supervised community living situation. They may also have the potential to engage in low stress supported work efforts.

C) Level III - The individual with this intensity level of severe mental illness experiences extreme disturbances of thinking and behavior that entail potential harm to self or others, or severe disturbances of all components of daily living, requiring constant supervision and care. The individual is unable to communicate readily and has difficulty differentiating between fantasy and reality. The person's behavior may be disruptive and menacing to

Section 140.642(j)(2)(C) (continued)

others. These symptoms and suicidal ideations necessitate continuing observation and professional intervention. Through the provision of specialized-services psychiatric rehabilitation services, the individual may be capable of more independent self-maintenance in a ICF/MI. The continued provision of specialized-services psychiatric rehabilitation services may allow the person to gain the skills and behaviors needed for supervised community living.

- 3) Individuals with severe mental illness who are eligible for ICF/MI services, exhibit substantial functional limitations which necessitate 24-hour a day supervision due to the need for:

- A) Professional observation for medication monitoring (adjustment and/or stabilization), and/or
- B) Daily supervision and assistance in at least two of the following areas:
 - i) Self-maintenance - Physical functioning, personal care and hygiene, dressing, grooming, toileting, nutrition, speech and language, eating habits, maintenance of personal space and possessions, health maintenance, use of medication, and self-medication program.
 - ii) Social Functioning - Interaction and involvement with family/ significant others, social skills and relationships with friends, peer group involvement, ability to pursue leisure/recreational activities, and education regarding alcohol and substance abuse.
 - iii) Community Living Activities - Homemaking responsibilities (i.e., cleaning, laundry, meal preparation and service, shopping, financial management, and using telephone), use of transportation, traveling from residence independently, recognizing and avoiding common dangers, and use of community services.
 - iv) Work Related Skills - Job retention behaviors (i.e., tardiness, absenteeism, relationships with co-workers/supervisors, work quality and quantity, ability to accept, understand and carry out instructions), job seeking skills (i.e., ability to initiate and schedule own activities, ability to seek employment, completing an application, personal

Section 140.642(j)(3)(B)(iv) (continued)

appearance, communication and interviewing skills, ability to set realistic vocational goals), basic reading, writing and arithmetic skills.

- 4) Specialized-services Psychiatric rehabilitation services are designed to reduce residual psychiatric symptoms and to increase the individual's ability to function with as much self-determination and independence as possible. These services are individualized and include aggressive, consistent and frequent implementation of a program of specialized and generic care. This may include specific therapies or treatments, activities, training, health services and related services. Specialized-services Psychiatric rehabilitation services shall begin with a diagnostic evaluation and a comprehensive functional assessment of the individual's strengths and needs. The assessment process leads to the development of a Comprehensive Care Plan (CCP). The CCP outlines the services needed, the persons responsible for the delivery of services and the process of reevaluating the plan. Specialized-services Psychiatric rehabilitation services may be delivered in settings which make available:

- A) 24-hour a day supervision of the individual,
 - B) Daily implementation of the individual's CCP and periodic evaluation of the CCP by an interdisciplinary team (IDT),
 - C) Daily administering and monitoring of prescribed medication, and
 - D) 24-hour a day pharmacological treatment and/or behavioral/psychiatric intervention.
- 5) Individuals with diagnoses of severe mental illness who would not be appropriate for ICF/MI services include:
- A) Individuals with severe mental illness whose symptomatology is so acute or severe that they require active-treatment specialized services in an inpatient psychiatric program.
 - B) Individuals with severe mental illness who cannot participate in specialized-services psychiatric rehabilitation services due to the severity of their medical (physical) conditions may be placed in a nursing facility which is not designated as an ICF/MI (see subsection (e)(4)(A) of this Section).

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Section 140.642(j)(5) (continued)

- C) Individuals with severe mental illness who do not require the intensity of specialized-services psychiatric rehabilitation services which is are provided in an ICF/MI setting. These individuals usually require less intensive treatment which is available through community mental health outpatient services.
- 6) Individuals with a severe mental illness who are 60 years of age or older may be admitted to a nursing facility not designated as an ICF/MI if the determination from a level II screening shows that:
- A) The person is in need of psychiatric rehabilitation services because of severe mental illness (see subsection (j)(1) of this Section) which causes substantial functional limitations (see subsection (j)(3) of this Section); and
 - B) The person has a substantial medical condition (see subsection (i)(2)(A) of this Section).
- k) Date of Payment
- 1) A screening assessment (the Level II Screen, subsection (e)(2) of this Section, and the DON, subsection (e)(3) of this Section) is valid for 60 days from the date of the assessment. For individuals with developmental disabilities or severe mental illness, an existing Level II Screen may remain valid after 60 days when the QMRP or QMHP respectively updates any component(s) of the assessment which is/are not current, and confirms the validity of the assessment as reliably reflecting the status of the individual. Additional assessments may be conducted within any 60 day period:
 - A) If the screening agent judges that it is merited by a change in the individual's medical or developmental status, or
 - B) In the event that an assessment has not been conducted properly or by the appropriate authorized screening agent, or
 - C) If the individual appeals the screening assessment decision.
 - 2) No payment for long term care services may be made, unless both the screening assessment and a physician's certification, as described in Section 140.514, document a need for such care.

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Section 140.642(k)(2) (continued)

- Where the assessment and the certification do not establish this need, the individual may request a licensed physician designated by the Department, to review the medical reports and any other evidence the individual wishes to submit, and certify that there is a need for long term care in the individual case. The individual will be notified of his/her right to this review.
- A) For an applicant for long term care services whose preadmission screening assessment and physician's certification have been completed and document the individual's need for such services, the Department will begin payment:
 - i) on the date of admission if Medicaid eligibility has been established, or
 - ii) on the effective date of Medicaid eligibility if such eligibility is not established prior to admission.
 - B) For an applicant for long term care services who is admitted into a long term care facility in an emergency situation in which placement must occur within 24 hours due to the individual's condition (i.e., medical or behavioral characteristics), or a change in the current living arrangement (residence or caregiver) which results in danger or unavailability, and the screening assessment and physician's certification occur within 15 calendar days of admission, payment will be made:
 - i) upon the date of admission if Medicaid eligibility is established prior to admission, or
 - ii) upon the date of Medicaid eligibility if such eligibility occurs following admission.
 - C) For an applicant for long term care services who is admitted into a long term care facility in a priority situation in which placement must occur in 3 working days due to an inappropriate living arrangement and the screening assessment and physician's certification occur within 15 calendar days of admission, payment will be made:
 - i) upon the date of admission if Medicaid eligibility is established prior to admission, or

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Section 140.642(k)(2)(C) (continued)

- ii) upon the date of Medicaid eligibility if such eligibility occurs following admission.
- D) For an individual who applies for Medicaid after admission to a facility:
- i) It is the facility's responsibility to immediately initiate screening activities by contacting the appropriate screening agent. Agents are required to complete screening assessments in such circumstances (nonemergency/nonpriority), within 30 calendar days of the initial screening referral.
- ii) If the screening assessment and physician certification are completed within 30 days of Medicaid application, payment will be made from the effective date of Medicaid eligibility.
- iii) If for any reason including a failure on the part of the facility to contact an appropriate screening agent, the screening assessment does not occur within 30 days of Medicaid application, the Department will not begin payment until the assessment does occur.

(Source: Amended at 17 Ill. Reg. 6196, effective April 5, 1993)

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Auxiliary Aids
- 2) Code Citation: 89 Ill. Adm. Code 540
- 3) Section Numbers: Adopted Action:
540.50 New Section
- 4) Statutory Authority: Section 3(k) of the Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, 3434(k) [20 ILCS 2405/3k].
- 5) Effective Date of Rule(s) (Amendments, Repealer): April 5, 1993
- 6) Does this rulemaking contain an automatic repeal date?
___ Yes X No
- 7) Does this rule (amendment, repealer) contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: March 30, 1993
- 9) Notice of Proposal Published in Illinois Register:
December 28, 1992, 16 Ill. Reg. 20088
(issue date)
- 10) Has JCAR Issued a Statement of Objections to this (these) Rule(s)? No If answer is "yes," please complete the following:
A) Statement of Objection: (issue date) ___ Ill. Reg. ___
B) Agency Response: (issue date) ___ Ill. Reg. ___
C) Date Agency Response Submitted for Approval to JCAR:
- 11) Difference(s) between proposal and final version: No difference
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this rule replace an Emergency Rule(s) currently in effect? No

DEPARTMENT OF REHABILITATION SERVICES

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- 14) Are there any amendments pending on this Part: No
- | Section Numbers | Proposed Action | Illinois Register Citation |
|-----------------|--|----------------------------|
| 15) | Summary and Purpose of Rule(s): 540.50 is being amended to reflect policies the Department of Rehabilitation Services will maintain toward interpreters with regards to; the filing of certifications, minimum time periods interpreters will be paid, mileage allowance, assignment cancellations, client no show, and expectations of an interpreter if they cancel an assignment. | |
| 16) | Information and answers to questions regarding this adopted rule shall be directed to: | |

Ms. Susan Warrner, Manager
 Regulations and Procedures Division
 Department of Rehabilitation Services
 P.O. Box 19429
 Springfield, Illinois 62794-9429

Telephone number: (217) 785-3896
 TTY/TDD: (217) 785-9301

The full text of Adopted Amendment(s) begins on the next page:

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF ADOPTED AMENDMENT

TITLE 89: SOCIAL SERVICES
 CHAPTER IV: DEPARTMENT OF REHABILITATION SERVICES
 SUBCHAPTER a: GENERAL PROGRAM PROVISIONS

PART 540
 AUXILIARY AIDS

Section

- 540.10 Provision of Auxiliary Aids for Internal Activities
 540.20 Provision of Auxiliary Aids by Service Providers
 540.30 Provision of Auxiliary Aids by DORS for Program Participation
 540.40 Aids or Equipment for Persons Who Are Blind or Visually Impaired
 540.50 Interpreters for Persons Who are Deaf, Hard of Hearing, or Deaf-Blind

AUTHORITY: Implementing and authorized by Section 3(k) of The Disabled Persons Rehabilitation Act. (Ill. Rev. Stat. 1991, ch. 23, par. 3434(k)[20 ILCS 2405/3k].

SOURCE: Adopted at 8 Ill. Reg. 4516, effective March 30, 1984; amended at 12 Ill. Reg. 14300, effective August 29, 1988; amended at 14 Ill. Reg. 5808, effective April 5, 1990; amended at 17 Ill. Reg. 6244, effective April 5, 1993.

Section 540.50 Interpreters for Persons Who are Deaf, Hard of Hearing or Deaf-Blind

The Department of Rehabilitation Services (DORS) shall purchase/provide interpreter services for persons who are deaf, hard of hearing, or deaf-blind in accordance with Sections 540.10 (c), 540.20 and 540.30.

- a) Certified interpreters shall have a copy of their current certification on file with DORS Division of Services for the Hearing Impaired in order to be paid the applicable certified rate. Interpreters will be paid on an hourly, half-day, full-day or assignment rate. DORS considers a half-day to consist of 3.5 to 4.0 hours and a full-day to consist of 7.5 to 8.5 hours.
- b) Interpreters shall be paid for a minimum of a two hour time period even though the worktime may be less than two hours. If there is less than a one hour lapse (e.g., lunch, break) in the interpreter assignment,

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payment will be for the total time span of the assignment.

- c) Interpreters who may not be interpreting but are required to be on the site (e.g., for labs, workshops, preparation for classes) shall be paid during this time.
- d) When an interpreter must travel a distance of 20 or more miles one way for an assignment, DORS will pay the mileage allowance in accordance with State Travel Regulations (89 Ill. Adm. Code 3000. Appendix A).
- e) An interpreter shall not bill DORS when DORS has cancelled more than 48 hours in advance of an assignment. An interpreter who is cancelled by a DORS employee or a DORS client less than 48 hours in advance of the assignment may bill DORS for the assignment time scheduled. However, if such a cancellation occurs on a multiple day assignment, the interpreter will be paid only for the time scheduled during the first 48 hours of the assignment (e.g., if a cancellation occurs and an interpreter is scheduled for three hours on day one and five hours on day two, the interpreter may bill for eight hours total).

f) In the event a client does not appear for a scheduled appointment, the interpreter shall stay on site for a minimum of one hour and then telephone the DORS contact person for direction.

g) If an interpreter cancels an assignment, he/she shall notify the DORS contact person immediately and work with the DORS contact person to attempt to locate a qualified interpreter. DORS contact person reserves the right to approve any substitute interpreter. No finder's fee will be paid to the original interpreter if that interpreter finds an acceptable substitute.

(Source: Added at 17 Ill. Reg. 6244 , effective April 5, 1993)

DEPARTMENT OF REHABILITATION SERVICES
NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Non-Academic Programs and Policies
- 2) Code Citation: 89 Ill. Adm. Code 830
- 3) Section Numbers: 830.50 Adopted Action: Amendment
- 4) Statutory Authority: Implementing Section 10 and 11 and authorized by Section 3(f) of the Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, pars. 3441, 3442, and 3434(f) [20 ILCS 2405/10, 11 and 3f].
- 5) Effective Date of Rule(s) (Amendments, Repealer): April 5, 1993
- 6) Does this rulemaking contain an automatic repeal date?
Yes ☐ No ☒
- 7) Does this rule (amendment, repealer) contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: March 30, 1993
- 9) Notice of Proposal Published in Illinois Register:
December 4, 1992 , 16 Ill. Reg. 18759
(issue date)
- 10) Has JCAR Issued a Statement of Objections to this (these) Rule(s)? No If answer is "yes," please complete the following:
 - A) Statement of Objection: _____, Ill. Reg. _____
(issue date)
 - B) Agency Response: _____, Ill. Reg. _____
(issue date)
 - C) Date Agency Response Submitted for Approval to JCAR:
- 11) Difference(s) between proposal and final version: No difference
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

DEPARTMENT OF REHABILITATION SERVICES

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- 13) Will this rule replace an Emergency Rule(s) currently in effect? No
- 14) Are there any amendments pending on this Part: No
- Section Numbers Proposed Action Illinois Register Citation
- 15) Summary and Purpose of Rule(s): 830.50 is being amended to detail the policy of Department of Rehabilitation Schools when a diagnosis of Pediculus Humanus Capitis (Head Lice) is made within the student population. This includes both treatment and notification of parent/guardian of the student.
- 16) Information and answers to questions regarding this adopted rule shall be directed to:
- Ms. Susan Warner, Manager
Regulations and Procedures Division
Department of Rehabilitation Services
P.O. Box 19429
Springfield, Illinois 62794-9429
- Telephone number: (217) 785-3896
TTY/TDD: (217) 785-9301

The full text of Adopted Amendment(s) begins on the next page:

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF ADOPTED AMENDMENT

TITLE 89: SOCIAL SERVICES
CHAPTER IV: DEPARTMENT OF REHABILITATION SERVICES
SUBCHAPTER f: EDUCATIONAL FACILITIES

PART 830

NON-ACADEMIC PROGRAMS AND POLICIES

Section
830.10 The Taking and Using of Students' Photographs
830.20 Needy Student Fund
830.30 Student Trust Fund
830.35 Student Activity Fees
830.40 Valuables
830.50 Health Services
830.60 Search and Seizure
830.70 Rights and Responsibilities of School Staff
830.80 Food and Nutrition
830.90 Safety and Sanitation
830.100 Donations
830.110 Release of Students to Authorized Individuals
830.120 Use of Motor Vehicles by Students
830.130 Student Activities Requiring Approval of Parents/Guardians
830.140 Visits to Schools

AUTHORITY: Implementing Sections 10 and 11 and authorized by Section 3(f) of "AN ACT in relation to rehabilitation of persons with one or more disabilities" the Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, pars. 3441, 3442, and 3434(f)) [20 ILCS 2405/10, 11 and 3f].

SOURCE: Adopted at 11 Ill. Reg. 15097, effective September 16, 1987; amended at 12 Ill. Reg. 14304, effective August 29, 1988; amended at 15 Ill. Reg. 6272, effective April 15, 1991, amended at 15 Ill. Reg. 17370, effective November 19, 1991; amended at 17 Ill. Reg. 6248, effective April 5, 1993.

Section 830.50 Health Services

- a) The Illinois Children's School and Rehabilitation Center (ICSRC) provides comprehensive medical, nursing, physical therapy, occupational therapy and nutrition services, complete with both prescription and non-prescription medications, supplies and devices for its students.

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- b) The Illinois School for the Deaf (ISD) and the Illinois School for the Visually Impaired (ISVI) provide part-time physicians, full-time nurses, such as basic as cough medicine, bandages, and cotton swabs, and services of occupational and physical therapists to handle the health and treatment programs for their students. In addition, a seven day a week infirmary is provided at ISD to serve the students of ISD and ISVI who are too ill to stay in the dormitory, but not ill enough to require hospitalization.
- c) Each school will provide assistance to parents in locating sources of, or arranging for, needed medical services which are beyond those described in subsections (a) or (b) above providing there is a clear understanding that the school will not pay or be responsible for such services.
- d) If a student receives medical treatment other than that prescribed by school health officials, the parents/guardian must inform school staff of such treatment and provide written medical information pertinent to that treatment.
- e) Each school shall comply with Section 27-8.1 of The School Code (Ill. Rev. Stat. 1991, ch. 122, par. 27-8.1)[105 ILCS 5/27-8.1] in matters pertaining to immunization of its students. In addition, at the direction of the school's physician and superintendent, authorized medical staff at the school shall immunize students for communicable diseases provided:
 - 1) the Illinois Department of Public Health, (DPH) recommended the immunization due to a time limitation or unusual situation;
 - 2) the local public health agency provides the vaccine at no cost to the school or the superintendent determines, in consultation with the school physician, an emergency situation exists and the need is so urgent that the vaccine should be purchased from school funds; and
 - 3) the parents have given their consent, if the student is under 18 years of age, or the student has given his or her consent, if the student is 18 years old or older.

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- f) HIV Testing. In compliance with the AIDS Confidentiality Act (Ill. Rev. Stat. 1991, ch. 111 1/2, par. 7301 et seq.)(410 ILCS 305/1) (AIDS Act) and rules of the Department of Public Health (77 Ill. Adm. Code 697-Aids and Confidentiality Testing Code), a student may not be tested for human immunodeficiency virus (HIV) unless:
 - 1) the student or legally authorized representative consents in writing, or
 - 2) a DORS' school employee has had an accidental direct skin or mucous membrane contact with the student's blood or body fluids which is of a nature that may transmit HIV, as determined by a physician in his or her medical judgement.
 - 3) Test Information and Counseling. In compliance with the AIDS Confidentiality Act (AIDS Act) (Ill. Rev. Stat. 1991, ch. 111 1/2, par. 7305)(410 ILCS 305/5) if an HIV test is ordered by a school physician, whether or not written, informed consent of the student or legally authorized representative has been given, the physician must provide the student with information, including:
 - A) the meaning of test results;
 - B) additional or confirmatory testing, when appropriate; and
 - C) referrals for further information or counseling.
 - 4) Disclosure of test results. The person performing the test shall only disclose results to the following people, who shall not redisclose the results, except as authorized by the AIDS Act:
 - A) The student or his or her legally authorized representative;
 - B) Anyone designated in an express release executed by the student or legally authorized representative;

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- C) The school employee who has had accidental contact as described in subsection (f) (2) above;
- D) The DPH (any redisclosure by a DPH employee in violation of the AIDS Act will result in disciplinary action taken by DPH); and
- E) An employee of the school if he or she provides the student with medical services or such care as may involve contact with blood or body fluids of a student and the employee has a need to know such information (e.g., an employee has been involved in accidental direct skin or mucous membrane contact with the blood or bodily fluids of an individual with AIDS). Any redisclosure by a DORS' employee in violation of the AIDS Act will result in disciplinary action taken by DORS.

g) In compliance with "AN-ACT-in-relation-to-the

prevention-of-certain-communicable-diseases;" the Communicable Disease Prevention Act (Ill. Rev. Stat. 1991, ch. 111 1/2, par. 22.12a)[410 ILCS 315/2a] the Department of Public Health or local public health department shall inform the facility administrator that a student has been diagnosed as having AIDS or AIDS-related complex or has been exposed to HIV. The facility administrator shall not disclose such information except to the following (who shall not redisclose the results except as authorized by the AIDS Act) and then only if the facility administrator then finds it necessary for the safe and effective administration of the school and its programs:

- 1) The principal of the DORS school;
- 2) The teachers in whose classes the student is enrolled;
- 3) The Infectious Disease Control Committee (i.e. facility administrator, head nurse and facility physician)
- 4) The school nurse; and

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- 5) Any other person that the facility administrator deems has a need to know, who has been involved in an accidental direct skin or mucous membrane contact with the blood or bodily fluids of an individual with AIDS, but the student's identity cannot be revealed.
- h) Each school will adhere to a consistent policy with regard to a diagnosis of Pediculus Humanus Capitis (head lice) by the school physician or nurse when discovered in the student population.
- 1) Residential students will be treated by the Nurse applying a 1% Permethrin cream rinse the first available time the day the head lice is discovered. Parents/Guardians will be contacted advising them their child has been treated by the nursing staff for head lice.
- 2) Non-residential students will have a phone call made to the affected student's parents/guardian informing them of the diagnosis of head lice, and that the student must be removed from school as soon as possible. The recommendation will be made to seek treatment from a physician and that all household members be treated. They will be informed that the student will not be allowed to return to school until treatment has been completed.
- In the event a parent of a non-residential student cannot be contacted within a two hour time frame, the school nurse will treat the student to facilitate returning the student to the school classroom until the parent is contacted. If the clothing of a non-residential student is infested temporary clothing will be issued while the student's clothes are being laundered.
- 3) All roommates and classmates will be evaluated for the presence of nits (lice eggs) or other evidence of infestation by the school nurse.
- 4) Residential students will not be allowed to return to school until they have been treated by the nursing staff. Non-residential students must present proof of appropriate treatment (e.g., note

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from physician, copy of prescription, proof of purchase of an over the counter product for the treatment of head lice) before returning to school. Upon return to school the student will be re-examined by the nurse prior to admission.

5) The nursing staff will again examine the affected student in 7 to 10 days.

6) All potentially infected environmental surfaces and clothing of residential students that could have been infected will be treated by the facility staff to prevent re-infection of the student population.

(Source: Amended at 17 Ill. Reg. 6248, effective April 5, 1993)

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1) Heading of the Part: Non-Financial Eligibility

2) Code Citation: 89 Ill. Adm. Code 685

3) Section Numbers: 685.150 Adopted Action: Amendment

4) Statutory Authority: Section 3(g) of the Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, par. 3434(g) [20 ILCS 2405/3g]).

5) Effective Date of Rule(s) (Amendments, Repealer): April 5, 1993

6) Does this rulemaking contain an automatic repeal date?
 Yes ☐ No ☒

7) Does this rule (amendment, repealer) contain incorporations by reference? No

8) Date Filed in Agency's Principal Office: March 30, 1993

9) Notice of Proposal Published in Illinois Register:

December 11, 1992, 16 Ill. Reg. 18947
 (issue date)

10) Has JCAR Issued a Statement of Objections to this (these) Rule(s)? No If answer is "yes," please complete the following:

A) Statement of Objection: (issue date), Ill. Reg. _____

B) Agency Response: (issue date), Ill. Reg. _____

C) Date Agency Response Submitted for Approval to JCAR:

11) Difference(s) between proposal and final version: Changes made per agreement with JCAR - see letter.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will this rule replace an Emergency Rule(s) currently in effect? No

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- 14) Are there any amendments pending on this Part: No

Section Numbers Proposed Action Illinois Register Citation

- 15) Summary and Purpose of Rule(s): Changes in 685.150 clarify that HSP applicants must apply for Medicaid benefits in order to be eligible to receive planned services and that verification of the Medicaid application is not required to receive services during interim eligibility. States that either the Notice of Decision (DPA: 458) or the signed and approved Application (DPA: 2378B) constitutes evidence of application for Medicaid benefits.

- 16) Information and answers to questions regarding this adopted rule shall be directed to:

Ms. Susan Warrner, Manager
Regulations and Procedures Division
Department of Rehabilitation Services
P.O. Box 19429
Springfield, Illinois 62794-9429

Telephone number: (217) 785-3896
TTY/TDD: (217) 785-9301

The full text of Adopted Amendment(s) begins on the next page:

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NOTICE OF ADOPTED AMENDMENT

TITLE 89: SOCIAL SERVICES

CHAPTER IV: DEPARTMENT OF REHABILITATION SERVICES
SUBCHAPTER d: HOME SERVICES PROGRAM

PART 685

NON-FINANCIAL ELIGIBILITY CRITERIA

Section	
685.10	Application of Non-Financial Requirements
685.100	Citizenship
685.150	Application for Medicaid
685.200	Residence
685.300	Age
685.400	Disability
685.500	Need for Long-Term Care
685.550	Effect on HSP Services of Services Provided by Other Agencies
685.600	Service Cost Maximum

APPENDIX A Institutional Cost Tables

AUTHORITY: Implementing and authorized by Section 3(q) of The Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1989 91, ch. 23, par. 3434(g))[20 ILCS 2405/3g].

SOURCE: Adopted and codified at 7 Ill. Reg. 8898, effective July 18, 1983; amended at 8 Ill. Reg. 15967, effective August 31, 1984; amended at 9 Ill. Reg. 9167, effective June 4, 1985; amended at 13 Ill. Reg. 5158, effective March 31, 1989; amended at 13 Ill. Reg. 18929, effective November 16, 1989; amended at 15 Ill. Reg. 6602, effective April 18, 1991; emergency amendment at 15 Ill. Reg. 14704, effective October 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 15753, effective October 21, 1991; amended at 16 Ill. Reg. 4529, effective March 10, 1992; amended at 16 Ill. Reg. 6868, effective April 9, 1992; amended at 17 Ill. Reg. 6256, effective April 5, 1993.

Section 685.150 Application for Medicaid

- a) All applicants for HSP must apply for Medicaid benefits in order to be eligible to receive planned services, but are not required to meet Medicaid spenddown, if one is established, in order to be eligible to receive services. Verification of Medicaid application is not required to receive services during the period of Interim Eligibility (89 Ill. Adm. Code 695.200). However, the person is not required to

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~~meet-Medicaid-spend-down-requirements-to-be-eligible-to receive-HSP-services-~~

- b) Within 60 calendar days after date of HSP application, the applicant must provide verification of application for Medicaid in one of the following ways:
- 1) if an applicant has already been found to be Medicaid eligible, by providing the counselor with the Medicaid case number; or
 - 2) by providing the counselor with a copy of the "instructions-to-clients"-form-from-the-Illinois Department-of-Public-Aid-(DPA-267); Notice of Decision (DPA: 458); or
 - 3) by providing the counselor with a copy of his/her signed and approved Application (DPA: 2378B).
- c) Planned services shall only begin after all criteria for eligibility are met, including verification of application for Medicaid, pursuant to subsection (b) above.

(Source: Amended at 17 Ill. Reg. 6256, effective April 5, 1993)

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- 1) Heading of the Part: Rules of Conduct
- 2) Code Citation: 89 Ill. Adm. Code 827
- 3) Section Numbers: Adopted Action:
827.10 Amendment
827.30 Amendment
827.40 Amendment
- 4) Statutory Authority: Implementing Sections 10 and 11 and authorized by Section 3(f) of the Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, pars. 3441, 3442, 3434(f)) [20 ILCS 2405/10, 11 and 3f].
- 5) Effective Date of Rule(s) (Amendments, Repealer): April 5, 1993
- 6) Does this rulemaking contain an automatic repeal date?
Yes ☐ No ☒
- 7) Does this rule (amendment, repealer) contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: March 30, 1993
- 9) Notice of Proposal Published in Illinois Register:
January 4, 1993, 17 Ill. Reg. 77
(issue date)
- 10) Has JCAR Issued a Statement of Objections to this (these) Rule(s)? No If answer is "yes," please complete the following:
 - A) Statement of Objection: _____, Ill. Reg. _____
(issue date)
 - B) Agency Response: _____, Ill. Reg. _____
(issue date)
 - C) Date Agency Response Submitted for Approval to JCAR:
- 11) Difference(s) between proposal and final version: No differences
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

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- 13) Will this rule replace an Emergency Rule(s) currently in effect? No
- 14) Are there any amendments pending on this Part: No
- Section Numbers Proposed Action Illinois Register Citation
- 15) Summary and Purpose of Rule(s): Affecting the operation of the three DORS schools for exceptional children, Section 827.10 is being amended to specify standards for discipline of students and determination of financial restitution. Sections 827.30 and 827.40 clarify disciplinary actions and appeals of such actions.
- These amendments were approved by JCAR 11/9/90 but inadvertently not filed with the Code Division, and therefore, need to be resubmitted.
- Changes other than those originally proposed include:
- reincorporation of a procedure or appraisal/notification of damages, designation of a different DORS unit responsible for collection of damages, reinstatement of an explanation of the process for determining the cost of damages, and other minor clarifications and wording changes.
- 16) Information and answers to questions regarding this adopted rule shall be directed to:

Ms. Susan Warner, Manager
Regulations and Procedures Division
Department of Rehabilitation Services
P.O. Box 19429
Springfield, Illinois 62794-9429

Telephone number: (217) 785-3896
TTY/TDD: (217) 785-9301

The full text of Adopted Amendment(s) begins on the next page:

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TITLE 89: SOCIAL SERVICES
CHAPTER IV: DEPARTMENT OF REHABILITATION SERVICES
SUBCHAPTER f: EDUCATIONAL SERVICES

PART 827
RULES OF CONDUCT

Section
827.10
827.20
827.30
827.40

General Applicability
Infractions by Students
Disciplinary Actions
Appeals of Disciplinary Actions

AUTHORITY: Implementing Sections 10 and 11 and authorized by Section 3(f) of "AN ACT in relation to rehabilitation of persons with one or more disabilities" the Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 198991, ch. 23, pars. 3441, 3442, 3434(f)) [20 ILCS 2405/10, 11 and 3f].

SOURCE: Adopted at 11 Ill. Reg. 6500, effective March 27, 1987; amended at 12 Ill. Reg. 14700, effective September 2, 1988; amended at 17 Ill. Reg. 6260, effective April 5, 1993

Section 827.10 General Applicability

- a) The term parent as used in this Part means the natural or adoptive parent, or legal guardian of the person of a student.

ba) -----referred to as the "Department" or "(DORS)", operates three schools for exceptional children: the Illinois School for the Deaf (ISD), the Illinois School for the Visually Impaired (ISVI), and the Illinois Children's School and Rehabilitation Center (ICSRC). The disciplinary action taken by staff at these schools will be progressive in nature. It will be in response to: the seriousness of the infraction which has occurred; the age and exceptional characteristics (as defined in 23 Ill. Adm. Code 226.5) of the involved student; and the number of times he or she has been involved in similar behavior. But, sufficient flexibility is allowed to enable the responsible staff to exercise sound professional judgement in determining the disciplinary action which will be taken. Each case is judged

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individually by experienced staff who take all relevant factors into consideration when reaching a decision.

cb) Although there are elements of punishment in most of the listed disciplinary actions, staff's primary goals in determining and administering discipline are to modify the student's future behavior so he or she will participate more appropriately in the school's programs, and to protect the rights and safety of the other students. Treatment which is basically punitive rather than corrective shall be used only as a last resort.

dc) When school staff have been made aware by the student's parents of their desire to be involved in their child's discipline, or when the Superintendent or the Superintendent's designee, based on their judgement, has determined the incident is so serious as to require that parental involvement is needed, parents will be notified and fully involved in determining appropriate discipline.

ed) In addition to the disciplinary action contained in Section 827.30, when the superintendent/designee has determined that financial restitution is justified, he or she shall have an impartial appraisal of the losses or damages made will be required when damage results from a student's behavior that requires disciplinary action, and when that damage is to state property and is greater than \$100.00, the student shall have an impartial appraisal of the losses or damages made. When the amount of damage is determined, the responsible student and his/her parents will be requested required to immediately pay 5% of the cost of the damage upon notification by the Superintendent or designee of the amount. The Client Financial Analysis form (IL488-0265) will be used to determine the student's and/or family's resources. The amount of payment due for the remainder of restitution will be determined by the Determination Table for Client Participation (89-111, Adm. Code 562.7TABLE A). provide restitution, and a plan for restitution will be developed unless there is convincing evidence that the student and his/her parents are clearly unable to pay even a portion of the amount involved. If the family indicates an

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inability to provide restitution, the family's response will be referred to the legal unit, which, based upon the family's known financial situation, will determine if restitution should be pursued through legal action. If the student and/or the parents refuse to cooperate or to follow through on the restitution plan, the superintendent shall contact the legal unit to initiate appropriate legal action.

1) If the student is declared a dependent on the latest federal income tax return of the parent, the student and his/her parents will be responsible for paying the damages.

2) If the student is not a dependent, the student will be responsible for paying the damages.

3) If the student and/or parent refuses to cooperate or to follow through on the restitution payment, the superintendent shall contact the Accounts Receivable Unit in DORS to begin collection proceedings.

(Source: Amended at 17 Ill. Reg. 6260, effective April 5, 1993)

Section 827.30 Disciplinary Actions

a) The following disciplinary actions can be issued by school staff, as set forth in this Section and in accordance with Section 827.10.

1) Counseling - Any staff person working directly with students may informally counsel a student on a given time-limited, relatively uncomplicated matter. However, ongoing counseling of ongoing or complex counseling nature requiring specialized professional skills must be approved by reported to the staff person's supervisor superintendent via the administrative chain.

2) A Verbal reprimand is can be issued by any staff person.

3) A Written reprimand can be is issued by educational and dormitory staff having direct responsibility for the student. if they observe

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the student in activities which warrant such action. Administrative staff can also issue written reprimands upon the recommendation of the appropriate staff.

- 4) Special assignment of duties is can only be issued by staff having direct responsibility for the student.
 - A) Special assignments requiring more than 3 hours of the student's time or being issued by a staff person who has issued a prior special assignment to the student, must receive prior approval from the staff person's supervisor.
 - B) Special assignments requiring more than 5 hours of the student's time must receive prior approval from the school's superintendent or the superintendent's designee.
- 5) Retain After School - A teacher who retains a student more than 1 hour a day for three days per year must receive prior approval from the teacher's supervisor.
- 6) Supervised Study - A teacher who assigns supervised study to a student for more than 3 hours per week for more than 2 weeks per year as a disciplinary action, must receive prior approval by the teacher's supervisor.
- 7) Withdrawal of Privileges, such as extra-curricular or social activities, will be issued by appropriate school staff and/or school administrators based upon the seriousness of action-to-be-taken: of the student's infractions.

- b) The following disciplinary actions must be approved by a supervising teacher or supervisor of child care, as set forth in this Section and in accordance with Section 827.10.

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- 1) Schedule Change - Changes in the student's Individualized Education Program (IEP) resulting from disciplinary needs require prior approval by notification to the student's parents.

2) and the school superintendent:
{89-iii--Adm--Code-795}

- 2) Restriction to Campus - Restricting a student to campus does not apply to scheduled school vacation time.
 - A) If the restriction to campus is less than 1 week, the supervising teacher or supervisor of child care must approve the restriction.
 - B) If the restriction to campus exceeds 1 week, the superintendent or the superintendent's designee must approve the restriction.
 - C) ---If the restriction to campus exceeds 2 weeks, the superintendent (or staff appointed by the superintendent to act on his or her behalf during the superintendent's absence) must approve the action.

- c) The following disciplinary action must receive prior approval from the superintendent of the school or the superintendent's designee, as set forth in this Section and in accordance with Section 827.10:

1) ---Restriction to Classroom During Day and to Dormitory at Other Times --- If the restriction is for 4 days or less, the Superintendent/designee must approve the restriction.

- 2) Restriction to Classroom During Day and to Dormitory Room at Other Times -

- 1) If the restriction is for 2 days or less the dorm supervisor must approve the restriction.
- 2) If the restriction is more than 2 days, the superintendent (or staff appointed by the superintendent to act on his or her behalf during the superintendent's absence) -

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designee must approve the restriction following a meeting with involved staff to after reviewing all relevant facts.

- d) The following disciplinary actions must receive prior approval only by the superintendent (or staff appointed by the superintendent to act on his or her behalf during the superintendent's absence) of the school or designee, as set forth in this Section and in accordance with Section 827.10.
- 1) Suspension from the Dormitory But Not from the School - Such suspension shall not become effective until the superintendent has:
 - A) held a multidisciplinary staffing to determine whether such action is appropriate in relation to the disciplinary infraction;
 - B) held discussions with the student's parents or legal guardian and has determined that an appropriate alternative living arrangement will be made by the parents for the student during the period of the suspension; and
 - C) notified the Local Education Agency (LEA) of parental/student residence (LEA) of the pending action.
 - 2) Expulsion From the Dormitory But Not From the School - Such expulsion shall not become effective until the superintendent has reviewed all relevant facts and has:
 - A) held a multidisciplinary staffing to determine whether such action is appropriate in relation to the disciplinary infraction;
 - B) held discussions with the parents or legal guardian and determined that they will provide an appropriate, permanent, alternative living arrangement for the student;
 - C) received prior approval for the action from the Associate Deputy Director of Educational Services Administrator of the Division of

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Services for Children, after the Associate Deputy Director has discussed the action with the Legal Unit Division;

- D) notified the LEA of parental/student residence of the pending action; and
 - E) revised the student's IEP.
- 3) Suspension From School - Such suspension shall not become effective until the superintendent has:
- A) reviewed all relevant facts and has notified the parents and the LEA of parental residence in writing of the pending action and the appeal process pursuant to Section 827.40, unless it is an emergency situation. Notification must be made within 10 school days from the date of the superintendent's review. If it is an emergency situation, notification may then be made by telephone, with written confirmation following; notification must be made within 10 school days from the date of the superintendent's review.
 - B) ensured the suspension is being handled in accordance with 89 Ill. Adm. Code 755.260; and
 - C) consulted with the Associate Deputy Director of Educational Services who will consult with the General Counsel in DORS, if the total of all suspensions in the given school year will be more than 10 days.
- e) Change of placement. Expulsion from the school can only be done by the prior approval of the Director of the Department of Rehabilitation Services (DORS). Expulsion Change of placement will only be used for cases of serious infractions which pose a significant threat to the safety or rights of the student or others.
- 1) Prior to expulsion, the change of placement, the student shall not be temporarily suspended,

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pending an investigation of the situation by the school superintendent. The total of all suspensions cannot be more than 10 school days in the aggregate for the school year from school, pending an investigation of the situation by the school superintendent. This suspension will not exceed 10 school days. The suspension will be administered pursuant to 89 Ill. Adm. Code 755.260.

- 2) At the onset of the suspension, notification of the suspension, and investigation, will multidisciplinary staffing, and appeal procedures must be given to the student's parents or legal guardian and the Local Education Agency (LEA) of parent/student residence.

- 3) The Superintendent's investigation must be completed during the first 5 school days of the suspension and will consist of:

- A) reviewing all available evidence and extenuating circumstances;
- B) interviewing school staff and students, as appropriate;
- C) holding a multidisciplinary staffing which includes the student, the parents or guardian, and the LEA, if possible;
- D) obtaining as much input as possible from the involved student, the student's parents or guardian, and the LEA;
- E) reviewing all information in 89 Ill. Adm. Code 755.260 light of the "Rules and Regulations to Govern the Administration and Operation of the State Schools" to determine if all past and proposed actions are consistent with the requirements; of the document and
- F) discussing the issue with the Associate Deputy Director of Educational Services, who must discuss it with the General Counsel of DORS.

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- 4) Based on the findings of the investigation, the Superintendent will decide whether to recommend expulsion determine if a recommendation for expulsion is appropriate. Such a recommendation must be forwarded to the Director.
- 5) The Director shall base the decision of accepting or rejecting the recommendation to expel on the documentation provided and the criteria contained within this subsection. The Director's decision must be reached during the second 5 school days of the student's suspension.

(Source: Amended at 17 Ill. Reg. 6260, effective April 5, 1993)

Section 827.40 Appeals of Disciplinary Actions

- a) Actions taken by the Department DORS in conformance with this Part are appealable through procedures as set forth in this Section. In cases where the parents can waive steps one and two and begin the appeal are involved in the appeal and it would be unduly inconvenient or expensive for them to make repeated trips to the school, the superintendent will agree, at the parents' request, to begin the appeal at step four. In such cases the superintendent will appropriately involve the person who imposed the disciplinary action as well as that person's supervisor. Similarly, with the parent's consent the Director will agree to combine steps 45 and 5.6. If the student receiving the discipline and/or his parents are dissatisfied with disciplinary actions taken:

- 1) the student and/or his/her parents should first check 89 Ill. Adm. Code 800.10(b) to determine whether the issue involved qualifies as a reason for requesting an impartial due process hearing. If it does, the procedures included in 89 Ill. Adm. Code 800 should be followed. If the issue to be appealed involves the provision of vocational rehabilitation services, the procedures in DORS Fair Hearings process "Administrative Reviews and Hearings" (89 Ill. Adm. Code 510) should be followed.

- 2)-----when the action is appealable under this Section, the student and/or his/her parents should ask the staff person who imposed the disciplinary action for a meeting to explain the student's and/or his/her parents' position within 3 school days of the date the student and/or his/her parents learned of the disciplinary action. In cases of serious disciplinary action, the action will not take place until the appeal has been exhausted. If the matter is not resolved to the student's and/or his/her parents' satisfaction at this meeting, and
- 3)-----the student and/or the parents wish to pursue the matter further, the student and/or his/her parents should request a meeting with the supervisor of the person who imposed the disciplinary action within 3 school days after the student and/or his/her parents met with that person. If the matter is not resolved,
- 4)-----the student and/or his/her parents should request a meeting with the superintendent or the superintendent's designee within 3 school days after the student and/or his/her parents met with the supervisor. If the matter is still not resolved,
- 5)-----the student and/or his/her parents should write a letter to the Administrator of the Division of Services for Children in the Central Office of DORS requesting a meeting with the Administrator or the Administrator's designee within 3 school days after the student and/or his/her parents met with the superintendent. If the matter is still not resolved to the student's or parents' satisfaction,
- 6)-----the student and/or his/her parents should write a letter to the Director of DORS requesting a meeting with the Director or the Director's designee within 3 school days of the date the student met with the administrator.

b) In cases of suspensions and change of placement, the action will not take place until the appeal has been exhausted.

c) If the student receiving the discipline and/or his/her parents are dissatisfied with disciplinary actions taken, they can appeal as follows:

- 1) The student and/or his/her parents should review 23 Ill. Adm. Code 226.605 to determine whether the issue involved qualifies as a reason for requesting an impartial due process hearing. If it does, 89 Ill. Adm. Code 800 should be followed. If the issue to be appealed involves the provision of vocational rehabilitation services, "Appeals and Hearings" (89 Ill. Adm. Code 510) should be followed. Both 23 Ill. Adm. Code 226.605 and 89 Ill. Adm. Code 800 are included in the Resource Supplement Handbook on Rights and Responsibilities Procedures.
- 2) Step 1. When the action is appealable under this Section, the student and/or parents should, within 3 school days after learning or being informed by the school of the disciplinary action, ask the staff person who imposed the disciplinary action for a meeting to explain the student's and/or his/her parents' position.
- 3) Step 2. If the matter is not resolved to the student's and/or parents' satisfaction at the meeting, the student and/or parents should, within 3 school days after meeting with the person who imposed the disciplinary action, request a meeting with the supervisor of that person.
- 4) Step 3. If the matter is not yet resolved, the student and/or his/her parents should, within 3 school days after meeting with the supervisor, request a meeting with the superintendent. The superintendent may approve a designee to conduct the meeting.
- 5) Step 4. If the matter is still not resolved, the student and/or parents should, within 3 school days after meeting with the superintendent, write a letter to the Associate Deputy Director of Educational Services requesting a meeting with the Associate Deputy Director or designee.

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- 6) Step 5. If the matter is still not resolved to the student's and/or parent's satisfaction, the student and/or his/her parents should, within 3 school days after meeting with the Associate Deputy Director of Educational Services, write a letter to the Director of DORS requesting a meeting with the Director or the Director's designee.

db)-----in all cases at the school level for steps 1, 2 and 3 the employee to which a request for a meeting is submitted will must schedule take place the meeting within 4 working school days of the date he/she received the request is received. Central office staff to which a request for a For steps 4 and 5 the meeting is submitted will schedule the meeting must take place within 5 working days of the date the written request is received.

- ec) A student has the right to be accompanied or assisted by his/her parents, or other adult of the student's choosing, at any or all of the meetings. Any expenses which result from involving the adults must be borne by the student or some source other than the school.

(Source: Amended at 17 Ill. Reg. 6260, effective April 5, 1993)

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- 1) Heading of the Part: Procedures and Standards
- 2) Code Citation: 92 Ill. Adm. Code 1001
- 3) Section Numbers: Adopted Action:
- | | |
|----------|-----------|
| 1001.10 | Amendment |
| 1001.20 | Amendment |
| 1001.100 | Amendment |
| 1001.110 | Amendment |
| 1001.220 | Amendment |
| 1001.300 | Amendment |
| 1001.310 | Amendment |
| 1001.320 | Amendment |
| 1001.330 | Amendment |
| 1001.340 | Amendment |
| 1001.350 | Amendment |
| 1001.360 | Amendment |
| 1001.400 | Amendment |
| 1001.410 | Amendment |
| 1001.420 | Amendment |
| 1001.430 | Amendment |
| 1001.440 | Amendment |
| 1001.450 | Amendment |
| 1001.460 | Amendment |
| 1001.470 | Amendment |
| 1001.485 | Amendment |

- 4) Statutory Authority: Subpart A implementing Sections 2-113, 2-118, 6-205, 6-206, and 6-108 and authorized by Sections 2-103 and 2-104 of the Illinois Vehicle Code (Ill. Rev. Stat. 1991, ch. 95½, pars. 2-103, 2-104, 2-113, 2-118, 6-205, 6-206 and 6-108) [625 ILCS 5/2-103, 2-104, 2-113, 2-118, 6-205, 6-206 and 6-108]. Subpart B implementing Chapter 7 and authorized by Sections 2-103, 2-104, 2-106, 2-107, 2-108, 2-113, 2-114, and 7-101 of the Illinois Vehicle Code (Ill. Rev. Stat. 1991, ch. 95½, pars. 2-103, 2-104, 2-106, 2-107, 2-108, 2-113, 2-114, and 7-101) [625 ILCS 5/2-103, 2-104, 2-106, 2-107, 2-108, 2-113, 2-114, and 7-101]. Subpart C implementing Sections 6-205(c) and 6-206(c)3 and authorized by Sections 2-103 and 2-104 of Chapter 95½ of the Illinois Vehicle Code (Ill. Rev. Stat. 1991, ch. 95½, pars. 2-103, 2-104, 6-205(c), and 6-206(c)3) [625 ILCS 5/2-103, 2-104, 6-205(c), and 6-206(c)3]. Subpart D authorized by Section 2-104 of the Illinois Vehicle Code and implementing Sections 6-103, 6-205(c), 6-206(c)3, and 6-208 of the Illinois Vehicle Code (Ill. Rev. Stat. 1991, ch. 95½, pars. 2-104, 6-103, 6-205(c), 6-206(c)3, and 6-208) [625 ILCS 5/2-104, 6-103, 6-205(c), 6-206(c)3, and 6-208].

- 5) Effective Date of Rule Amendments: May 1, 1993
- 6) Does this rulemaking contain an automatic repeal date? No

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7) Does this rule amendment contain incorporations by reference? No

8) Date Filed in Agency's Principal Office: April 5, 1993

9) Notice of Proposal Published in Illinois Register:

December 18, 1992, 16 Ill. Reg. 19761

10) Has JCAR issued a Statement of Objections to these rules: No

11) Differences between proposal and final version:

The comments of the Administrative Code and JCAR have been incorporated into the amendments.

Section 1001.100(a), second paragraph, last sentence was changed to clarify when an out-of-state petition might be rejected due to residency issues.

Section 1001.440, Subsection (e), the last paragraph has been changed. The change clarifies that if a waiver of abstinence to 6 months is granted, the requirement of documenting involvement in a support program is only required of Petitioners classified Level III Dependent.

Section 1001.440, Subsection (f), has been changed to clarify that a Petitioner classified Level III Non-Dependent, may also be abstinent.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will this rule amendment replace an emergency rule amendment currently in effect? Yes

14) Are there any amendments pending in this Part? Yes

Sections Numbers:	Proposed Action:	Illinois Register Citation:
1001.500	New Section	17 Ill. Reg. 1758
1001.510	New Section	17 Ill. Reg. 1758
1001.520	New Section	17 Ill. Reg. 1758
1001.530	New Section	17 Ill. Reg. 1758
1001.540	New Section	17 Ill. Reg. 1758

15) Summary and Purpose of Rule Amendments: These amendments achieve the following objectives: Bring the Secretary of State rules regarding hearings to obtain driving privileges in alcohol related cases into compliance with the recently amended DASA rules as they affect classification levels and treatment requirements; make grammatical, organizational and other non substantive changes; provide hearings by mail for former residents seeking reinstatement of driving privileges; clarify when an informal hearing may

be had; codify the current procedure of handling cases where the current loss of driving privileges is not related to a DUI arrest/disposition yet alcohol/drugs may be at issue.

16) Information and questions regarding this adopted rule amendment begins on the next page:

Jay L. Mesi, Senior Legal Advisor
Secretary of State
Department of Administrative Hearings
Room 200, Michael J. Howlett Building
Springfield, Illinois 62756

The full text of the Adopted Amendments begins on the next page:

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TITLE 92: TRANSPORTATION
CHAPTER II: SECRETARY OF STATE

PART 1001

PROCEDURES AND STANDARDS

SUBPART A: FORMAL ADMINISTRATIVE HEARINGS

Section	
1001.10	Applicability
1001.20	Definitions
1001.30	Right to Counsel
1001.40	Appearance of Attorney
1001.50	Special Appearance
1001.60	Substitution of Parties
1001.70	Commencement of Actions; Notice of Hearing
1001.80	Motions
1001.90	Form of Papers
1001.100	Conduct of Formal Hearings
1001.110	Orders
1001.120	Record of Hearings
1001.130	Invalidity

SUBPART B: ILLINOIS SAFETY RESPONSIBILITY HEARINGS

Section	
1001.200	Applicability
1001.210	Definitions
1001.220	Hearings: Notice; Location; Procedures; Record
1001.230	Rules of Evidence
1001.240	Scope of Hearings
1001.250	Decisions and Orders
1001.260	Rehearings
1001.270	Judicial Review
1001.280	Invalidity

SUBPART C: RULES ON THE CONDUCT OF INFORMAL HEARINGS
IN DRIVERS LICENSE SUSPENSIONS AND REVOCATIONS

Section	
1001.300	Applicability
1001.310	Definitions
1001.320	Right to Representation
1001.330	Records and Reports
1001.340	Location of Hearings
1001.350	Duties and Responsibilities
1001.360	Decisions
1001.370	Invalidity

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SUBPART D: STANDARDS FOR THE GRANTING OF RESTRICTED DRIVING PERMITS,
REINSTATEMENT, AND THE TERMINATION OF CANCELLATIONS OF
DRIVING PRIVILEGES BY THE OFFICE OF THE SECRETARY OF STATE

Section	
1001.400	Applicability
1001.410	Definitions
1001.420	General Provisions Relating to the Issuance of Restricted Driving Permits
1001.430	General Provisions for Reinstatement of Driving Privileges after Revocation
1001.440	Provisions for Alcohol and Drug Related Revocations, Suspensions, and Cancellations; and Penalties Pursuant to Sections 6-205(a)2, 6-205(d), 6-206(a)1, 6-206(a)6, 6-206(a)17, 6-206(a)24, 6-206(a)31, 6-201, 6-203, 6-203.1 and 11-501.1
1001.450	New Hearings
1001.460	Requests for Modification of Revocations and Suspensions
1001.470	Renewal, Correction and Cancellation of RDP's
1001.480	Unsatisfied Judgement Suspensions
1001.485	Reinstatement Application Based Upon Issuance of Drivers License in a State Which is a Member of the Driver License Compact
1001.490	Invalidity

AUTHORITY: Subpart A implementing Sections 2-113, 2-118, 6-205, 6-206, and 6-108 and authorized by Sections 2-103; and 2-104 of the Illinois Vehicle Code (111. Rev. Stat. 1989 1991, ch.95½, pars. 2-103, 2-104, 2-106; 2-107; 2-113, 2-114; 2-118, 6-205, 6-206 and 6-108); 625 ILCS 5/2-103, 2-104, 2-113, 2-118, 6-205, 6-206 and 6-108]. Subpart B implementing Chapter 7 and authorized by Sections 2-103, 2-104, 2-106, 2-107, 2-108, 2-113, 2-114, and 7-101 of the Illinois Vehicle Code (111. Rev. Stat. 1989 1991, ch.95½, pars. 2-103, 2-104, 2-106, 2-107, 2-108, 2-113, 2-114, and 7-101); 625 ILCS 5/2-103, 2-104, 2-106, 2-107, 2-108, 2-113, 2-114, and 7-101]. Subpart C implementing Sections 6-205(c) and 6-206(c)3 and authorized by Sections 2-103 and 2-104 of Chapter 95½ of the Illinois Vehicle Code (111. Rev. Stat. 1989 1991, ch.95½, pars. 2-103, 2-104, 6-205(c), and 6-206(c)3); 625 ILCS 5/2-103, 2-104, 6-205(c), and 6-206(c)3]. Subpart D authorized by Section 2-104 of the Illinois Vehicle Code and implementing Sections 6-103, 6-205(c), 6-206(c)3, and 6-208 of the Illinois Vehicle Code (111. Rev. Stat. 1989 1991, ch.95½, pars. 2-104, 6-103, 6-205(c), 6-206(c)3, and 6-208); 625 ILCS 5/2-104, 6-103, 6-205(c), 6-206(c)3, and 6-208].

SOURCE: Adopted and codified at 7 Ill. Reg. 7501, effective June 17, 1983; amended at 8 Ill. Reg. 4220, effective April 1, 1984; emergency amendment at 9 Ill. Reg. 17030, effective October 18, 1985, for a maximum of 150 days; amended at 10 Ill. Reg. 4558, effective March 18, 1986; amended at 11 Ill. Reg. 17844, effective October 15, 1987; amended at 13 Ill. Reg. 15803 effective October 1, 1989, amended at 14 Ill. Reg. 2601 effective February 15, 1990; amended at 14 Ill. Reg. 16041, effective October 1, 1990; emergency amendment at 17 Ill. Reg. 2047, effective January 27, 1993, for a maximum of 150 days;

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amended at 17 Ill. Reg. 6274, effective May 1, 1993.

NOTE: Capitalization denotes Statutory language.

SUBPART A: FORMAL ADMINISTRATIVE HEARINGS

Section 1001.10 Applicability

This Subpart shall apply to all Formal hearings conducted pursuant to the Illinois Vehicle Code under the jurisdiction of the Office by the Department, except for hearings conducted pursuant to Chapter 7 of the Illinois Vehicle Code. (Ill. Rev. Stat. 1985; 1991 ch 95½, pars. 700 et seq.). 1625 ILCS 5/7-100 et seq.

(Source: Amended at 17 Ill. Reg. 6274, effective May 1, 1993)

Section 1001.20 Definitions

"Contested case" means any adjudicatory proceeding conducted by the Office in which the legal rights, privileges, immunities, duties, or obligations of any person or party are required by law or regulation to be determined by the Secretary of State after an opportunity for a hearing.

"Department" means the Department of Administrative Hearings of the Office of the Secretary of State of Illinois.

"Director" means the Director or Acting Director of the Department.

"Formal hearing" means any hearing authorized to be held to resolve a contested case in the Department by the Illinois Vehicle Code or any and all other applicable statutes at any time in force in the State of Illinois.

"Hearing officer" means any person designated by the Secretary of State to preside at any hearing conducted pursuant to these Rules.

"Office" refers to the Office of the Secretary of State and not to any particular department, address, or location.

"Party" means any person named or admitted as a participant in any hearing conducted pursuant to these rules, including the Office and Department.

"Person" includes any individual, corporation, partnership, association, or firm legally capable of either seeking the action of the Office or being the subject to said action.

"Applicant" or "Petitioner" is the party who by written request

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seeks or applies for any relief from the Office under the provisions of the Illinois Vehicle Code, or otherwise from any rule, regulation, order, or determination of the Office.

"Respondent" means a person against whom a complaint or petition is filed, or who, by reason of interest in the subject matter of a petition or application or the relief sought therein, is made a Respondent or to whom an order or complaint is directed by the Department initiating a proceeding.

(Source: Amended at 17 Ill. Reg. 6274, effective May 1, 1993)

Section 1001.100 Conduct of Formal Hearings

a) All hearings conducted in any proceeding shall be open to the public. Pursuant to statute, Formal Hearings shall be conducted in Springfield, Chicago, Hillside or Mt. Vernon.

1) In petitions for driving relief, Petitioners who have permanently relocated outside of the State of Illinois and Petitioners who are still residents but are outside the State of Illinois for 30 days 3 months or more due to employment reasons (e.g.-military-service) may make written application in lieu of returning to Illinois for a Formal Hearing. Such application Petitioner shall be deemed to have waived his/her the right to appearance in person. Out-of-state Petitioners must initially submit evidence of their residency, such as, but not limited to voter's registration, income tax returns, apartment rental leases, mortgage contracts, employment verification, utility and/or telephone bills, etc. The Department reserves the discretion to reject out-of-state petitions which fail to provide this evidence or establish residency. The Department also reserves the discretion to reject an out-of-state petition if there is evidence that the Petitioner is regularly present in the State of Illinois, such as through work, school, or family contacts, but not limited thereto, and is therefore capable of attending a hearing in person.

2) Except as provided in Section 1001.440(m), Out-of-state applicants Petitioners must submit at a minimum all documentation and information required by Subpart D herein, as well as a sworn, Out-of-State Petitioner's Affidavit, which provides the information otherwise required by the Illinois Secretary of State (the Secretary) at a Formal Hearing. Out-of-state Petitioners who reside within 30 miles of the Illinois border shall be required to attend a hearing in person, unless the Petitioner shows good cause for not being able to attend in person. Good cause is shown when it is demonstrated through a written statement that the Petitioner cannot attend a Formal Hearing

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in person due to economic, physical, or medical reasons. Here inconvenience does not constitute good cause.

- b) Every hearing shall be presided over by a Hearing Officer duly appointed by the Secretary. The Secretary ~~shall~~ may also appoint a representative to appear and participate in said hearing on his/her behalf. Prior to the taking of evidence, the Petitioner/Respondent may request disqualification of the Hearing Officer by making a motion on the record for same, stating the specific grounds upon which it is alleged that a fair and impartial hearing cannot be afforded the Petitioner/Respondent by the Hearing Officer. The Hearing Officer will rule upon the motion. If the motion is denied, the hearing will proceed, or the Petitioner may withdraw from the hearing. If the motion is granted, the case shall be transferred to another Hearing Officer for a hearing on the same day if possible. If it is not possible to schedule a hearing on the same day, a new hearing date shall be scheduled and ~~a new~~ another hearing Officer shall be assigned by the Secretary. The Hearing Officer shall have authority to conduct the hearing, to rule on all motions, to administer oaths, to subpoena witnesses or documents at the request of any party, to examine witnesses, and to rule upon the admissibility of testimony and evidence.

- nc) Upon order of the Hearing Officer, for good cause shown, and upon reasonable notice to other parties, any party, including the Department, may cause at his or its expense a deposition of any witness to be taken for use as evidence in a contested case (for example, when the witness is not available due to distance, time, cost to the party using the testimony, sickness, infirmity, imprisonment, the witness being out of state or similar factors). The deposition shall be taken in the manner provided by law for evidence depositions in civil actions in the Circuit Courts of Illinois. Any party may direct written interrogatories to any other party. Interrogatories must be restricted to the subject matter of the case, to avoid undue detail, and to avoid the imposition of any unnecessary burden or expense on the answering party. Written interrogatories shall be served on the opposing party no later than fifteen (15) business days before the hearing. Objection to answers or refusals to answer shall be heard on motion at the hearing before the Hearing Officer who shall rule on the objection or refusal. Answers shall be sworn. If an answer to an interrogatory may be obtained from documents in the possession or control of the party on whom the interrogatories were served, it shall be a sufficient answer to specify the documents and make them available to the inquiring party to inspect and copy at the asking party's expense.

- ed) The technical rules of evidence shall not apply. Any relevant evidence may be admitted if it is the sort of evidence relied upon by reasonably prudent people in the conduct of their affairs. The

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existence of any common law or statutory exclusionary rule which might make improper the admission of such evidence over objections in civil or criminal actions shall not be a bar to the admissibility of otherwise relevant evidence. The rules of privilege shall be followed to the same extent that they are now or hereafter may be recognized in civil actions. Irrelevant, immaterial or unduly repetitious evidence may be excluded upon objection. Objections to evidentiary offers may be made and shall be noted in the record, and ruled upon by the Hearing Officer. Any party may make an offer of proof following an adverse evidentiary ruling. Subject to these requirements, when a hearing will be expedited and the interests of the parties will not be prejudiced, any part of the evidence may be received in written form. Subject to the evidentiary requirements of this subsection, a party may conduct cross-examination required for a full and fair disclosure of the facts.

- de) Official notice may be taken of past hearings and any matter of which the Circuit Courts of Illinois may take judicial notice. In addition, official notice may be taken of generally recognized technical or scientific facts within the agency's specialized knowledge. Parties shall be notified either before or during the hearing, or by reference in preliminary reports or otherwise, of the material noticed, including staff memoranda and data, and they shall be afforded an opportunity to contest the material so noticed. The Department's and the Hearing Officer's experience, technical competence and specialized knowledge may be utilized in the evaluation of the evidence.

- of) At the request of any party or upon his own motion, the Hearing Officer may call a prehearing conference. At the conference, the parties, or their representatives shall appear as the Hearing Officer directs. Matters which may be considered at a prehearing conference include, but are not limited to:

- 1) The simplification of the issues;
- 2) Amendments to the grounds for action;
- 3) The possibility of obtaining admissions and stipulations of fact and of documents which will avoid unnecessary proof;
- 4) The limitation of the number of expert witnesses;
- 5) Any other matters which may aid in the disposition of the contested case.

- rg) Upon the conclusion of a prehearing conference, the Hearing Officer shall enter an order which recites any action taken, any agreements made by the parties as to any of the matters considered, and the

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issue to be heard.

eh) Upon written request, made at least ten (10) business days prior to the hearing, a party shall furnish to other parties a list of the names and addresses of prospective witnesses, or furnish written answers to a written demand for a bill or particulars.

fi) Any party or his representative shall have the right, upon written motion made at least ten (10) business days prior to the hearing, to inspect any relevant documents in the possession of or under the control of any other party and to interview parties or persons having knowledge of relevant facts, subject to any statutory or constitutional privileges. Interviews of persons and inspection of documents shall be at times and places reasonable for the persons and for the custodian of the document.

gi) Oral evidence shall be taken only on oath or affirmation.

hk) Parties may agree by stipulation upon any facts involved in the hearing. The facts stipulated shall be considered as evidence in the hearing.

jl) Each party shall have the right to request the subpoena of and to call and to examine witnesses; to introduce exhibits and to cross-examine witnesses on any matter relevant to the issues, even though that matter was not covered in the direct examination. Applications to the Hearing Officer assigned to the case for subpoenas duces tecum shall specify the books, papers, and documents desired to be produced.

m) Each party shall have the right to rebut the evidence against him; to appear in person; to be represented by counsel. If a party does not testify in his own behalf, he may be called by the Secretary of State's representative and examined as if under cross-examination.

tn) A request to continue or withdraw a hearing request is directed to the sound discretion of the Hearing Officer to whom the case has been assigned for hearing. Either request may be granted, for good cause shown, provided the request is received by the Department not less than five (5) days prior to the hearing date unless good cause is shown within the five days or during the hearing due to the need for new evidence, sudden unavailability of counsel, sudden illness of a party, or similar reasons. Such request prior to the Hearing shall be in writing and shall set forth the grounds alleged therefore. "Good cause" is shown when a Petitioner or Respondent demonstrates a real and compelling need for additional time. "A real and compelling need" includes, but is not limited to, service in the armed forces, serious illness, family death, or act of God, relating

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to either party or that party's attorney. No request by any attorney on behalf of a Petitioner/Respondent will be considered unless the attorney shall have filed a written notice of appearance as provided in Section 1001.40.

v) 1) NeA Formal Hearing shall not be continued "generally". A continuance, when granted, shall state a date certain, not more than sixty (60) days from the prior hearing date at which time the hearing shall reconvene. Repeated continuances will not be granted. If the petitioner is not prepared to go forward after the first continuance a request to withdraw should be submitted.

w) 2) The party requesting the hearing may request withdrawal from the hearing at any time up to the conclusion of the taking of evidence. A request to withdraw from a hearing which in the Hearing Officer's judgment is based upon surprise of evidence presented or adverse evidence shall not be granted. Upon withdrawal, the requested relief will not be considered and the case dismissed. Should the party request another hearing, it must be done in writing and it will be treated as any other request for hearing. (See Section 1001.70).

jo) A party may serve on any other party a written request for the admission by the latter of the truth of any specified relevant fact set forth in the request or for the admission of genuineness of any relevant documents described in the request. Copies of the documents shall be served with the request unless copies have already been furnished.

kp) Upon the opening of the hearing, the Hearing Officer shall allow the parties to make opening statements. Opening statements may not be made at any other time, except in the discretion of the Hearing Officer. Upon the closing of the hearing each party may make a closing statement orally and/or by written brief at the discretion of the Hearing Officer, incorporating arguments of fact and law. A written brief may be required when the facts and issues are deemed complicated by the Hearing Officer, and there is a need for the parties to plead their cases in writing for the record.

rq) All exhibits for any party shall be clearly marked for identification and as admitted into evidence by the Hearing Officer.

tr) In the hearing of any case, any party or his agent may be called and examined as if under cross-examination at the instance of any adverse party. A party calling for the examination is not bound thereby, but may rebut the testimony thus given and may impeach the witness by proof of prior inconsistent statements. If the Hearing Officer determines that a witness is hostile or unwilling, the

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witness may be examined by the party calling him as if under cross-examination. The party calling an occurrence witness may, upon showing that he called the witness in good faith but is surprised by his testimony, impeach the witness by proof of prior inconsistent statements.

qs) The burden of proof is upon the Applicant Petitioner for any relief in a hearing. The standard of proof is the preponderance of the evidence unless otherwise except as provided for in Subpart D.

vt) The Secretary will provide an interpreter for hearing impaired Petitioners/Respondents who wish to testify; providing a language interpreter, however, is the responsibility of the Petitioner/Respondent.

su) Report of Proceedings.

1) The Department shall, at its expense, have present at each hearing, an electronic recording device or a qualified court reporter, for the purpose of making a permanent and complete report of the proceedings, to-wit: evidence admitted or tendered and not admitted, testimony, offer of proof, objections, remarks of Hearing Officer and of parties and/or their representatives, all rulings of Hearing Officers.

2) Upon request and at his own expense any party may have a copy of said report of proceedings, from said court reporter, or transcribed from the electronic device by the Department at the statutory rate as set forth in Section 10 of The Fees and Salaries Act "AN ACT concerning fee and salaries; and to classify the several counties of this state with reference thereto" (Ill. Rev. Stat. 1987 1991, ch. 53, par. 24) [5 ILCS 290/10] and 2 Ill. Adm. Code 551.130, or the cost of an audio tape plus mailing.

(Source: Amended at 17 Ill. Reg. 6274, effective May 1, 1993)

Section 1001.110 Orders

a) The Department shall prepare a written order for all final determinations, which shall include the Findings of Fact, Conclusions of Law, Recommendations of the Hearing Officer, and the Order of the Secretary.

b) The Hearing Officer shall prepare the Findings of Fact, Conclusions of Law, and Recommendations to the Secretary. The Findings of Fact and Conclusions of Law must be stated separately.

c) The Order of the Secretary of State shall be the decision of the

Office upon the application for relief.

d) The Department shall notify all parties and their agents personally or by mail of the Findings of Fact, Conclusions of Law, Recommendations, and the Order within the statutory time limit but in no case more than 180 days of the date of the hearing's conclusion.

e) An Order of Default shall be entered against a Petitioner or Respondent, who fails to appear for a hearing at the scheduled time and has failed to request or been granted a continuance in accordance with Section 1001.100(t) and (u): (u).

f) Orders resulting from Formal Hearings are final administrative orders within the meaning of the Administrative Review Law. (Ill. Rev. Stat. 1987; 1991, ch. 110, pars. 3-101 et seq.) [735 ILCS 5/3-101 et seq.]

(Source: Amended at 17 Ill. Reg. 6274, effective May 1, 1993)

SUBPART B: ILLINOIS SAFETY RESPONSIBILITY HEARINGS

Section 1001.220 Hearings: Notice; Location; Procedures; Record

a) Subsequent to certification of an uninsured motorist by the Department of Transportation as provided by statute, and upon a preliminary finding that a REASONABLE POSSIBILITY OF A CIVIL JUDGEMENT (Ill. Rev. Stat. 1991, ch. 95 1/2, par. 7-205) [625 ILCS 5/7-205] exists, the Secretary shall institute a Notice of Suspension which advises the Petitioner of his/her right to a hearing in lieu of a deposit of security. Any Petitioner by submitting a written request post-marked within 15 days of the mailing date of the Notice of Suspension, will be afforded a full, fair and impartial hearing to contest the preliminary finding of the Secretary. Any such request will stay the effective date of the safety responsibility suspension pending the outcome of the hearing. Hearing requests received within six months after the prescribed time 15 day period will be granted; however, the suspension will not be stayed or removed pending the hearing. Any Petitioner not requesting a hearing within six months of the mailing date of either a Notice of Suspension or of a letter from the Secretary of State, sent in lieu of a Notice of Suspension, accepting compliance and notifying the Petitioner of the right to a hearing, shall be deemed to have waived the right to a hearing; and no such request shall be granted.

b) The decision resulting from the hearing shall be based upon the following factors: whether said Petitioner, as a motor vehicle owner or operator, has been involved or whose vehicle has been involved in a motor vehicle accident occurring within the State of Illinois and which has resulted in bodily injury or death of any

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person or in which damage to the property of any one person exceeds the amount provided by statute; whether Petitioner is exempt from the Safety Responsibility Law and whether there exists a reasonable possibility of a civil judgment against the Petitioner. The Petitioner shall bear the burden of proof throughout the proceedings. The standard of proof shall be a preponderance of the evidence.

c) The hearing shall be initiated by the issuance of a Notice of Hearing by the Secretary. Said notice shall be served upon the Petitioner, as the party against whom action may be taken by the Secretary, any interested party, and any attorney of record.

d) The Notice of Hearing shall be a written statement setting forth, but not limited to the following information; to wit:

- 1) The name of the Petitioner;
- 2) The name and address of any claimants or injured parties;
- 3) The date, time, place, and nature of the hearing;
- 4) The matters to be addressed at the hearing;
- 5) The name of the Hearing Officer;
- 6) The specific sections of the Statutes involved; and
- 7) The statutory authority pursuant to which the hearing is being conducted;

8) Advise the Petitioner that a failure to appear will result in the denial of any relief requested and that at any rehearing granted under Section 1001.260 the Petitioner will be deemed to have waived the right to subpoena, or cross-examine witnesses that testified at the original hearing.

e) Hearings shall be conducted in the Counties of Cook, DeKalb, Will, Rock Island, Tazewell, Adams, Sangamon, Champaign, Coles, Kane, Marion, St. Clair, Jackson, and in such other locations as the Secretary shall from time to time designate. If the Secretary determines to abandon or change the location of the hearing outside the counties where any one of the thirteen (13) original hearings locations are situated, which are located in the counties listed in the previous sentence, the Secretary shall publish in a local newspaper of general circulation in each county served by such office, twenty days prior notice thereof. The notice shall indicate the reasons for such determination and shall identify the new location proposed to serve each county, if known at the time of publication.

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f) Every hearing shall be presided over by a Hearing Officer duly appointed by the Secretary. The Secretary ~~shall~~ may also appoint a representative to appear and participate in his behalf. Prior to the taking of evidence, a Petitioner may request the disqualification of the Hearing Officer by making a motion for same, stating the specific grounds upon which it is alleged that a fair and impartial hearing cannot be afforded the Petitioner by the Hearing Officer. The Hearing Officer will rule upon the motion, ~~and the motion shall be granted if the Hearing Officer previously heard the case or is personally acquainted with the parties.~~ If the motion is denied, the hearing will proceed. If the motion is granted, the case shall be transferred to another Hearing Officer for a same day hearing if possible. If not possible, a new hearing date will be established and a new Hearing Officer shall be assigned by the Secretary. The Hearing Officer shall have authority to conduct the hearing, to rule on all motions, to administer oaths, to subpoena witnesses or documents at the request of any party, to examine witnesses, and to rule upon the admissibility of testimony and evidence.

g) Each party to the hearing shall have the following rights:

- 1) The right to the issuance of subpoenas upon a ten (10) business day written request directed to the Hearing Officer;
- 2) The right to call and examine witnesses;
- 3) The right to cross-examine witnesses on any matter relevant to the issues, even though the matter was not covered on direct examination;
- 4) The right to introduce exhibits; and
- 5) The right to obtain in advance, upon written request, copies of all related police reports not designated confidential by State law. Such requests must be submitted at least 10 business days prior to the hearing date to be considered. The parties may request copies of the related police reports at the hearing if the need for such copies could not be foreseen before the hearing, or the need for them arose because of issues or allegations adduced at the hearing.

h) The Petitioner shall have the right to appear in person and be heard through an attorney at law licensed to practice in the State of Illinois or any law student licensed under Supreme Court Rule 711. If the Petitioner does not testify on his own behalf, he may be called by the representative of the Secretary and examined as if under cross-examination.

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1) Attorneys admitted to practice in states other than the State of Illinois may appear by special leave of the Hearing Officer appointed to conduct the hearing, upon the attorney's verbal representation or written documentation as to the attorney's admittance.

2) A natural person may appear and be heard in his own behalf.

3) A corporation, association, or partnership may appear and present evidence by any bona fide officer, employee, or representative.

4) Only an attorney mentioned above, properly licensed shall represent anyone else in any hearing in any matter involving the exercise of legal skill or knowledge. The standards of conduct shall be the same as before the Courts of the State of Illinois.

i) The proceedings shall be recorded by a suitable electronic method. The Petitioner may furnish, at his own expense, a certified shorthand reporter. All records taken pursuant hereto shall be properly cataloged and preserved by the Secretary for a period of at least forty-five (45) days from the entry of the Hearing Officer's order. Oral proceedings, or any part thereof, shall be transcribed upon request of the Petitioner, any party, or their counsel at said requesting party's personal expense as specified in 2 Ill. Adm. Code 551.150, or the cost of an audio tape, plus mailing.

j) The record of a hearing held pursuant hereto shall include, but not be limited to, the following, to wit:

- 1) The notices, pleadings, and responses thereto;
- 2) The motions and rulings thereon;
- 3) The matters officially noticed;
- 4) The offers of proof made, objections thereon, and rulings thereon;
- 5) The opinions, recommendations, or reports by the Hearing Officer, Secretary, or Department; and
- 6) A transcript of the proceedings.

k) The Secretary will provide an interpreter for hearing impaired Petitioners and Interested Parties who wish to testify; providing a language interpreter, however, is the responsibility of the Petitioner or Interested Parties.

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(Source: Amended at 17 Ill. Reg. 6274, effective May 1, 1993)

SUBPART C: RULES ON THE CONDUCT OF INFORMAL HEARINGS
IN DRIVERS LICENSE SUSPENSIONS AND REVOCATIONS

Section 1001.300 Applicability

This Subpart applies to informal hearings conducted by Driver License Hearing Officers in the Department of Administrative Hearings of the Office of the Secretary of State in various locations throughout Illinois. These informal hearings are limited to the consideration of and the making of recommendations on drivers license suspension and revocation matters and the recommendations may include any recommendation able to be made by a Formal Hearing, except that an informal hearing shall not consider petitions in cases involving: death; rescission or modification of suspensions or revocations; multiple convictions pursuant to Section 11-501 of the Code; multiple violations pursuant to Section 11-501.1 of the Code; or similar provisions of local ordinances or out-of-state violations, or any combination thereof arising from separate incidents. ~~and felony convictions other than those enumerated in Section 6-205(a)(3); 6-205(a)(7); and 6-206(a)(28) of the Code.~~ They are a lower level hearing than the Formal Hearings conducted pursuant to Subpart A of this Part. There is no appeal from an informal hearing to a Formal Hearing because the Formal Hearing is an original proceeding conducted on the evidence.

(Source: Amended at 17 Ill. Reg. 6274, effective May 1, 1993)

Section 1001.310 Definitions

"Department" means the Department of Administrative Hearings of the Office of the Secretary of State.

"Director" means the Director or Acting Director of the Department of Administrative Hearings.

"Headquarters" means the main location of the Hearing Officer in each region as specified in Section 1001.340(c).

"Hearing Officer" means the Driver's License Hearing Officer.

"Informal Hearing" means a hearing which is conducted without the formal procedures of Subpart A, is subject to the conditions described in Sections 1001.300 and 1001.360 of this Subpart and is conducted in designated facilities throughout Illinois.

"Informal Hearings Division" means the division of the Department of Administrative Hearings which is responsible for the operation and administration of informal hearings.

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"Facility" means a Drivers License station operated by the Department of Drivers Services of the Office of the Secretary of State.

"Office" means the Office of the Secretary of State and not any particular department, address or location.

"Person" means an individual who seeks relief or action from the Office on his/her drivers license suspension or revocation.

"Applicant or Petitioner" means the person who seeks relief from the suspension or revocation of his/her driving privileges pursuant to the provisions of the Illinois Vehicle Code.

"Region" means a group of counties within which a Drivers License Hearing Officer conducts [informal] Hearings.

"Supervisor" means the administrator of the Informal Hearings Division.

"Work Locations" means another facility within a region at which a Hearing Officer conducts Informal Hearings but is not the headquarters.

(Source: Amended at 17 Ill. Reg. 6274, effective May 1, 1993)

Section 1001.320 Right to Representation

Any Applicant Petitioner may represent himself or herself at an Informal Hearing, or may be represented by an attorney licensed to practice law in Illinois, or in another state who is specifically permitted by the Hearing Officer to represent an Applicant Petitioner at the Informal Hearing, upon the attorney's verbal representations or written documentation as to the attorney's admittance or any law student licensed under Supreme Court Rule 711. An Applicant Petitioner may be assisted by a non-lawyer if the Applicant Petitioner is representing himself or herself.

(Source: Amended at 17 Ill. Reg. 6274, effective May 1, 1993)

Section 1001.330 Records and Reports

- a) The Hearing Officer will record all proceedings on a form prescribed and supplied by the Director. The form will include, but not be limited to, identification information about the Applicant Petitioner, a narrative from the Applicant Petitioner concerning his/her driving record and need for relief, the type of relief sought, the violations for which the Applicant Petitioner was suspended or revoked, and the Hearing Officer's recommendation. The recommendations of the Hearing Officer shall be based upon the evidence, the driving record of the Applicant Petitioner, the Illinois Vehicle

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Code, these rules, and any other relevant factor.

- b) The Applicant Petitioner may submit any relevant and probative documentary or testimonial evidence the Applicant Petitioner wishes to have considered by the Hearing Officer and the Department.

- c) The report and evidence from the Hearing Officer shall be a public record, and copies may be purchased for the statutory fee for copies of state records.

(Source: Amended at 17 Ill. Reg. 6274, effective May 1, 1993)

Section 1001.340 Location of Hearings

- a) There shall be at least one Hearing Officer in each region.

- b) The headquarters of each region shall be in the facility located in that city, and a work location may also be established by the supervisor for one or more Hearing Officers within a region.

- c) The regions and headquarters are:

- 1) Region 1, consisting of the counties of Jo Daviess, Stephenson, Winnebago, Boone, DeKalb, Lee, Ogle, Whiteside, and Carroll, with headquarters in Rockford.

- 2) Region 2, consisting of the counties of Rock Island, Henry, Mercer, Knox, Warren, and Henderson with headquarters in the City of Moline.

- 3) Region 3, consisting of the counties of Kendall, Will, Grundy, Kankakee, and Livingston, with headquarters in Joliet.

- 4) Region 4, consisting of the counties of Fulton, Stark, Peoria, Woodford, and Tazewell, with headquarters in the City of Peoria.

- 5) Region 5, consisting of the counties of Iroquois, Ford, Vermilion, Champaign, and Piatt, with headquarters in the City of Champaign.

- 6) Region 6, consisting of the counties of Mason, Logan, Cass, Menard, Morgan, Sangamon, Scott, Christian, Greene, Macoupin, and Montgomery, with headquarters in the Centennial Building, Springfield, Illinois.

- 7) Region 7, consisting of the counties of Hancock, McDonough, Schuyler, Adams, Brown, and Pike, with headquarters in Quincy.

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- 8) Region 8, consisting of the counties of Douglas, Edgar, Moultrie, Coles, Clark, Cumberland, Shelby, Effingham, Jasper, and Crawford, with headquarters in Mattoon or Effingham.
- 9) Region 9, consisting of the counties of Fayette, Bond, Marion, Clay, Clinton, Washington, and Jefferson, with headquarters in Centralia or Mt. Vernon.
- 10) Region 10, consisting of the counties of Calhoun, Jersey, Madison, Randolph, St. Clair, and Monroe, with headquarters in East St. Louis.
- 11) Region 11, consisting of the counties of Perry, Franklin, Jackson, Williamson, Saline, Gallatin, Union, Johnson, Pope, Hardin, Alexander, Pulaski, and Massac, with headquarters in Carbondale or Marion.
- 12) Region 12, consisting of the counties of Kane and DuPage, with headquarters in Elgin.
- 13) Region 13, consisting of the county of Cook, with headquarters in the building where the Department is located in Cook County.
- 14) Region 14, consisting of the counties of McHenry and Lake, with headquarters in Libertyville.
- 15) Region 15, consisting of the counties of Bureau, LaSalle, Putnam, and Marshall, with headquarters in the City of LaSalle.
- 16) Region 16, consisting of the counties of DeWitt, Macon, and McLean, with headquarters in Bloomington.
- 17) Region 17, consisting of the counties of Wayne, Edwards, Wabash, Lawrence, Richland, Hamilton and White, with headquarters in Lawrenceville.

d) Out-of-state Petitioners

- 1) Petitioners who have permanently relocated outside of the State of Illinois and Petitioners who are still residents but are outside the State of Illinois for 3 months or more due to employment reasons may make written application in lieu of returning to Illinois for an informal hearing. Such Petitioner shall be deemed to have waived the right to appear in person. Out-of-state Petitioners must initially submit evidence of their residency, such as, but not limited to voter's registration, income tax returns, apartment rental leases, mortgage contracts, employment verification, utility and/or telephone bills, etc. The department reserves the discretion to reject

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out-of-state petitions which fail to provide this evidence or establish residency. The department also reserves the discretion to reject an out-of-state petition if there is evidence that the Petitioner is maintaining substantial contact with the state of Illinois and, therefore, is capable of attending a hearing in person.

- 2) Except as provided in Section 1001.440(m), out of state Petitioners must submit at a minimum all documentation and information required by Subpart D herein, as well as a sworn, Out-Of-State Petitioner's Affidavit, which provides the information otherwise required by the Illinois Secretary of State (the Secretary) at an informal hearing. Out-of-state Petitioners who reside within 30 miles of the Illinois border shall be required to attend a hearing in person, unless the Petitioner shows good cause for not being able to attend in person. Good cause is shown when it is demonstrated through a written statement that the Petitioner cannot attend a hearing in person due to economic, physical, or medical reasons. Mere inconvenience does not constitute good cause.

(Source: Amended at 17 Ill. Reg. 6274, effective May 1, 1993)

Section 1001.350 Duties and Responsibilities

- a) Hearing Officers will send all reports of hearings to the Supervisor in Springfield.
- b) A final decision will be made by the Director or designee at the Department in Springfield, Illinois after consideration of all the evidence on the record, including but not limited to, the driving record of the Applicant; Petitioner, the severity of the offense(s), the frequency of offenses, the nature and sequence of offenses, the statements submitted to the Hearing Officer, and other relevant and probative factors.

(Source: Amended at 17 Ill. Reg. 6274, effective May 1, 1993)

Section 1001.360 Decisions

- a) The decision at the informal hearing is not a final order and as such is not subject to administrative review pursuant to the Administrative Review Law. Following an adverse decision at the informal hearing, the Applicant Petitioner may petition for a formal hearing conducted pursuant to Subpart A of this Part. Such a formal hearing shall constitute a de novo proceeding and is not an appeal of an adverse decision at the informal hearing.

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- b) If a Petitioner has had an Informal Hearing pursuant to this subpart, another Informal Hearing shall not be granted until at least thirty (30) days have elapsed since the date of the last Informal Hearing.

(Source: Amended at 17 Ill. Reg. 6274, effective May 1, 1993)

SUBPART D: STANDARDS FOR THE GRANTING OF RESTRICTED DRIVING PERMITS, REINSTATEMENT, AND THE TERMINATION OF CANCELLATIONS OF DRIVING PRIVILEGES BY THE OFFICE OF THE SECRETARY OF STATE

Section 1001.400 Applicability

This Subpart applies to the decision making process on applications for restricted driving permits by persons whose driving privileges have been suspended, revoked, cancelled or denied; the reinstatement of driving privileges; the granting of driving privileges after denial and the termination of cancellations. Each Applicant's Petitioner's case is unique and all of the evidence and the Applicant's Petitioner's entire driving record must be considered with these standards before a decision is made. The issuance of both forms of driving relief are discretionary with the Secretary of State upon the evidence presented as set forth in this Subpart D.

(Source: Amended at 17 Ill. Reg. 6274, effective May 1, 1993)

Section 1001.410 Definitions

"Abstinence" means to refrain from consuming any type of alcoholic liquor or other drugs.

"Abstract" means a summary of a driver's record of traffic law violations, accidents, suspensions, revocations, cancellations, address and personal information of the driver, as contained in the files of the Office of the Secretary of State.

"Accredited educational course" means any class or course of instruction offered by an accredited educational institution, which course is either vocational in nature, or is part of the matriculation process in receiving an academic degree, diploma, or certificate. It shall also include attendance at any required instructional class in an apprentice program.

"Accredited educational institution" means any school, or institution, whether public or private, which offers classes or courses of instruction, and which is reviewed and approved or granted a waiver of approval by the controlling state agency.

"Alcohol and Drug Evaluation (Investigative)" means a typewritten report which conforms to standards established by the Department, as

specified in Section 1001.440(a)(6)(D) of this Subpart. The evaluation must be completed on a form prescribed by the Department. This evaluation will be conducted as required pursuant to Sections 1001.420(1) and 1001.430(d) of this Subpart, when:

the current loss of driving privileges is not related to a DUI arrest/disposition yet the Petitioner's driving record contains a prior DUI disposition within the last ten (10) years, for which the Petitioner did not or was not required to submit to the Secretary of State an alcohol/drug evaluation to obtain driving privileges; or

there is evidence that the Petitioner may be a user of alcohol or any other drug to a degree which renders such a person incapable of safely driving a motor vehicle. (See Section 6-103.4 of the Code).

"Alcohol and Drug Evaluation (Out-of-state)" means a typewritten report which conforms to standards established by the Department as specified in Section 1001.440(a)(6)(C) of this Subpart.

"Alcohol and Drug Evaluation (Original) (Uniform Report)" means a typewritten report which conforms to standards established by the Illinois Department of Alcoholism and Substance Abuse (DASA). (See 77 Ill. Adm. Code 2056.305) The evaluation must be completed on a form prescribed by DASA. The evaluation must be signed and dated by both the evaluator and the Petitioner.

"Alcohol and Drug Evaluation (Update)" means a typewritten report which conforms to standards established by the Department, as specified in Section 1001.440(a)(6)(B) of this Subpart. The evaluation must be completed on a form prescribed by the Department. The update evaluation must be completed by the a program which did the original evaluation; in accordance with the provisions of Section 1001.440(a)(6)(A) of this Subpart.

"Alcohol and Drug Related Driver Remedial Program" means an education program concerning the effects of alcohol/drugs on drivers of motor vehicles, which conforms to the standards established by DASA. (See 77 Ill. Adm. Code Subpart D).

"BAC" means blood alcohol concentration as determined by a chemical test administered by police authorities or medical personnel to measure the concentration of alcohol in the bloodstream.

"Clinical Impression" means a qualified professional's (See definition of "Alcohol or Drug Evaluation") interpretation of specific data, which is obtained during an evaluation process, regarding the nature and extent of an individual's use of alcohol and/or other

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drugs the treatment process, regarding the effectiveness of treatment provided.

"DASA" means the Illinois Department of Alcoholism and Substance Abuse.

"Department" means the Department of Administrative Hearings of the Office of the Secretary of State.

"Designated Driver Remedial or Rehabilitative Program" means an alcohol or drug evaluation, an alcohol or drug related driver remedial program, an alcohol or drug treatment program, the Office driver improvement program, or any similar program intended to diagnose and change an Applicant's Petitioner's driving problem as evidenced by the Applicant's Petitioner's abstract. (See Sections 6-205(c) and 6-206(c)3 of the Code).

"Director" means the Director or Acting Director of the Department.

"Documentation of Abstinence" means testimony and documentation, in the form of affidavits, letters, etc. from individuals who have regular, frequent contacts with the Petitioner (e.g. spouse, significant other, employer, co-workers, roommates) verifying that to the best of their knowledge the Petitioner has been abstinent from alcohol/drugs for a specified period of time.

"Driver License Compact" is an agreement among signatory states which deals with the problems of: issuing drivers licenses to people who move from one signatory state to another; and drivers who are licensed in one signatory state and convicted of traffic offenses in other such states. Said Compact has been codified in Illinois and is found in Chapter 6, Article VII, of the Code.

"DUI" means driving under the influence.

"DUI Disposition" means any conviction or supervision for DUI, or any conviction of reckless driving reduced from DUI, and any statutory summary suspension or implied consent suspension.

"Employ" or "Employed" or "Employment" shall all relate to activity for compensation to support oneself or one's dependents as well as activities ordered by a court in connection with a sentence which includes the completion of a term of community service.

"Evaluator" means any person qualified licensed to conduct an alcohol and drug evaluation; which would include either a staff member of a BHI program licensed by DASA, who satisfies that Department's qualifications; or a physician. Evaluations may be performed by staff members of hospital-based BHI programs where: the program

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is licensed by DASA to provide evaluations; the Petitioner has participated in and completed alcohol/drug treatment at the hospital; or where a previous evaluation by the program was submitted and accepted by the office of the Secretary of State. (See 77 Ill. Adm. Code 2056.1). A treatment provider may be considered an evaluator for the purpose of completing an updated evaluation in accordance with Section 1001.440(a)(6)(A) of this Subpart.

"Fee" means the statutory fees for restricted driving permits or reinstatement of driving privileges, as specified in Section 6-118 of the Code.

"Hearing" means informal Hearings and/or Formal Hearings.

"JDP" means a Judicial Driving Permit, as defined by Section 6-206.1 of the Code which may be ordered by the court of venue to "first offenders" as defined in Section 11-501.1 of the Code.

"Level I - Non-problematic-(Minimal Risk)" means the classification resulting from an alcohol and drug evaluation assigned to an Applicant Petitioner who has no prior convictions or court ordered supervisions for DUI; or statutory summary suspension or reckless driving conviction reduced from DUI, and a blood alcohol concentration (BAC) at time of arrest of less than .20; .15 as a result of the most current arrest for DUI, and no other symptoms of alcohol or drug substance abuse or dependence. within the past twelve months. (See 77 Ill. Adm. Code 2056.310).

"Level II - Problematic-Bee-(Moderate Risk)" means the classification resulting from an alcohol and drug evaluation assigned to an Applicant Petitioner who has no prior conviction(s) or court ordered supervision(s) for DUI or statutory summary suspension or reckless driving conviction reduced from DUI and a blood alcohol concentration (BAC) at the time of arrest of .20 or higher .15 to .19 or a refusal of chemical testing as a result of the most current arrest for DUI, and no other symptoms of alcohol or drug substance abuse within the past twelve months: or dependence. (See 77 Ill. Adm. Code 2056.310).

"Level III - Problematic-Bee-(Significant Risk)" means the classification resulting from an alcohol and drug evaluation assigned to an Applicant Petitioner who has a prior conviction(s) or court ordered supervisions(s) for DUI or statutory summary suspension or reckless driving conviction reduced from DUI and/or a blood alcohol concentration (BAC) of .20 or higher as a result of the most current arrest for DUI and/or other symptoms of alcohol or drug substance abuse. (See 77 Ill. Adm. Code 2056.310).

"Level III - Problematic-Bee-Dependent-(High Risk)" means the

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classification resulting from an alcohol and drug evaluation assigned to an Applicant Petitioner with:

symptoms of alcohol-and/or-drug substance dependence (regardless of driving record), hereinafter referred to as Level III Dependent; and/or

two prior convictions or court ordered supervisions for DUI or statutory summary suspensions or reckless driving convictions reduced from DUI or any combination thereof resulting from separate incidents, within the ten (10) year period prior to the date of the most current (third or subsequent) arrest, hereinafter referred to as Level III Non Dependent. (See 77 Ill. Adm. Code 2056.310).

"National Driver Register" means a central index, maintained by the U.S. Department of Transportation, of individuals whose driving privileges are denied, terminated or withdrawn, as reported by the states' driver licensing authorities.

"Office" means the Office of the Secretary of State and not any particular department address, or location.

"Applicant" or "Petitioner" is the party who seeks or applies for relief from the office from the suspension, revocation, cancellation, or denial of his/her driving privileges pursuant to the provisions of the Illinois Vehicle Code.

"Reinstatement" means the restoration of driving privileges entitling the Applicant Petitioner to apply for a new drivers license in accordance with the requirements of the Illinois Vehicle Code and the Rules promulgated thereunder.

"Respondent" means a person against whom a complaint or petition is filed, or who, by reason of interest in the subject matter of a petition of application or the relief sought therein, is made a Respondent or to whom an order or complaint is directed by the Department initiating a proceeding.

"RDP" means a restricted driving permit, as defined by Section 1-173.1 of the Code and limited as specified in Sections 6-205(c) and 6-206(c)(3) of the Code.

"Secretary" means the Illinois Secretary of State.

"Self-help Program" means an independent non-profit organization comprised of individuals who hold voluntary meetings specifically to help each member to achieve and/or maintain abstinence from alcohol and/or other drugs.

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"Significant Other" means any person with whom an individual is experiencing an ongoing, close association that represents a meaningful part of that individual's established lifestyle (e.g. spouse, other family member, employer, co-worker, clergy member, roommate).

"Support/Recovery Program" means specific activities which a recovering alcoholic/chemically dependent person has incorporated into his/her lifestyle to help support his/her continued abstinence from alcohol and other drugs. This may include, but is not limited to participating in a self-help group (Alcoholics Anonymous, Narcotics Anonymous, etc.), a professional support group, or regularly and frequently engaging in religious activities which have a distinct and positive effect on an individual's continued abstinence. Any activity and its relationship to the individual's ability to remain abstinent must be clearly identified and verified by proper documentation independent from an individual's self report (such as indicated in Section 1001.440(e) through (i)). The Hearing Officer shall determine the viability of the activity as a means of supporting continued abstinence, taking into account all the evidence brought forward at the hearing.

"Undue Hardship" as it relates to educational pursuits means an extreme difficulty in getting to and from the location of the accredited education course, due to the loss of driving privileges. It is more than mere inconvenience to the Applicant Petitioner, and pertains only to the Applicant Petitioner. All other reasonable means of transportation must be unavailable to the Applicant Petitioner. An undue hardship is not shown by the mere fact that the driving privileges are suspended or revoked.

"Undue Hardship" relating to employment means, as used in the context of Sections 6-205(c) and 6-206(c)(3) of the Code an extreme difficulty in regard to getting to or from an Applicant's Petitioner's place of employment or to operate on a route during employment, e.g. as delivery person, because of the suspension, revocation, or cancellation of the Applicant's Petitioner's driving privileges. It is more than mere inconvenience on the Applicant Petitioner and pertains only to the Applicant Petitioner. All other reasonable means of transportation must be unavailable to the Applicant Petitioner. An undue hardship is not shown by the mere fact that the driving privileges are suspended or revoked.

"Undue Hardship" as it relates to necessary medical care means an extreme difficulty in regard to getting to and from a location where an Applicant Petitioner or a member of his/her immediate family receives examinations, therapy or treatment, etc., prescribed or recommended by a physician and, in the case of a diagnosis or clinical impression of alcoholism/chemical dependency, where an Applicant Petitioner is participating in an ongoing support program

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as prescribed or recommended by a physician or other qualified professional. It means more than mere inconvenience. There must be no other reasonable alternative means of transportation available. An undue hardship is not demonstrated by the mere fact that the Applicant's Petitioner's driving privileges are suspended or revoked.

(Source: Amended at 17 Ill. Reg. 6274, effective May 1, 1993)

Section 1001.420 General Provisions Relating to the Issuance of Restricted Driving Permits

a) RDP Classifications

1) An-Applicant Petitioner for an employment related RDP must be currently employed, or present a verifiable commitment for employment, and the employment must be verified upon forms prescribed by the Department. If the Petitioner is self-employed, evidence of self-employment can include, but is not limited to stationery, business card, official receipt, check, State or Federal tax returns or letters from business associates.

2) An-Applicant Petitioner for a RDP for medical or treatment purposes must provide verifiable documentation from the doctor, counselor or program involved.

3) An-Applicant Petitioner for a RDP for court ordered community service must provide certified court documents detailing the terms of the service, including but not limited to the place or places the service is performed, the hours during which the service is to be performed and the nature of the service.

4) An-Applicant Petitioner for an educational RDP must be currently enrolled, or intend on enrolling, in an accredited educational institution for the purpose of taking an accredited educational course or courses. Prior to the issuance of any educational RDP, the Applicant Petitioner must submit verification of such enrollment from the institution. Such verification shall be on a form provided by the Secretary of State.

b) A RDP may be granted only after suspension, revocation, or cancellation for the offenses listed in Sections 6-205, 6-206, 6-303, 6-201(a)5 as it relates to 6-103.4 and 11-501.1 of the Code. Applicants Petitioners who are eligible to apply for a JDP are not eligible for and will not be considered for a RDP.

c) An-Applicant Petitioner must prove by clear and convincing evidence that an undue hardship is currently being suffered as a result of

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the inability to legally operate a motor vehicle. Mere inconvenience to the Applicant, Petitioner, or family and friends is not undue hardship. The Applicant Petitioner should produce clear and convincing evidence as to the unavailability of reasonable alternative means of transportation, such as but not limited to: walking, mass transit, car pools, or being driven; how Applicant Petitioner is currently getting to his/her destination; whether driving is required in the course of employment; the distance between the Applicant's Petitioner's residence and his/her destination; and similar factors relating to employment, necessary medical care, and/or educational pursuits.

1) Appropriate limits will be established for necessary on-the-job driving. The days, hours, and mileage limits will not exceed those absolutely necessary for the accomplishment of the applicant's primary employment and shall be limited to a maximum of twelve (12) hours per day and six (6) days per week unless the request for increased limits is substantially documented, such as through an employer's verification of the Petitioner's work schedule.

2) A medical RDP may include attendance at no more than three self-help program meetings per week.

3) An educational RDP will be subject to appropriate limits necessary to allow the Applicant Petitioner to get to and from the subject institution/courses. The days and hours will not exceed those absolutely necessary for that purpose and shall be limited to a maximum of twelve (12) hours per day and six (6) days per week. Additional parameters to consider in setting such limits shall include whether the Applicant Petitioner commutes daily to the courses, or lives on or within a radius of (1) mile from the campus and only needs to drive to and from the institution on an infrequent basis (less than once per week) and is then able to get to the courses by other means of transportation. Such permit shall expire at the conclusion of the period in which the Applicant Petitioner is currently enrolled. Each new enrollment period shall require a new application for an educational RDP.

d) Factors which will be considered by the Department in determining the propriety of granting a Petitioner a RDP include, but are not limited to: the Applicant's Petitioner's age; whether the Applicant Petitioner has driven while suspended or revoked; duration of present employment; number of years licensed to drive; number, severity, and frequency of accidents; frequency, type, and severity of traffic violations; efforts at rehabilitation or reform of past driving practices; demeanor of Applicant Petitioner in hearing;

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credibility of Applicant Petitioner and witnesses in hearing; credibility and weight of Applicant's Petitioner's documentary evidence; Applicant's Petitioner's total driving record, including but not limited to reasons for violations, prior permits issued (unless such permits were issued pursuant to the order of a circuit or appellate court following an administrative review action) and driving record while on such permits, driving history in another state if licensed previously; reports of probation and/or parole officers; and psychiatric reports where the evidence shows that Petitioner is suffering or has suffered from a mental disorder which might affect his/her ability to operate a motor vehicle in a safe and responsible manner.

e) The effect of the issuance of a RDP upon public safety will be carefully considered before any RDP is granted, pursuant to Sections 6-205(c) and 6-206(c)(3) of the Code.

f) No A RDP will not be issued while any ticket is pending against him/her in any court of this or any other state, unless the pending citation or citations are also the cause of an open summary suspension or suspensions.

g) A Petitioner who is otherwise eligible for a RDP may be referred to a remedial or rehabilitative program prior to the permit's issuance, if his/her driving record warrants such measures. (See Sections 6-205(c) and 6-206(c)(3) of the Code).

h) A Petitioner otherwise eligible for reinstatement of driving privileges or termination of a cancellation under 6-201(a)5 as it relates to 6-103.4, may be issued a RDP for a probationary or trial period, prior to full reinstatement of driving privileges or termination of cancellation in cases where the Petitioner has a poor driving record evidenced by many minor violations or a few serious violations or involvement as a driver in a traffic collision(s) resulting in death or injury requiring immediate professional treatment in a medical facility or doctor's office to any person, or has been evaluated as Level II or Level III by an alcohol/drug evaluation.

i) A RDP will be issued to an out-of-state resident only if he/she has a valid license to drive issued by the jurisdiction in which he/she resides; he/she has a verified employment, medical, or educational related need to drive in Illinois; and he/she complies with all other requirements of this Subpart.

j) A RDP will not be issued to a new resident of Illinois if his/her driving privileges are suspended or revoked in another jurisdiction until such time as that suspension or revocation ends; is terminated.

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k) ~~No fee will be collected before a decision is made on an application:~~

kl) The Director or a designee shall make the final decision, on each application, on behalf of the Secretary. If relief was sought at a formal hearing, Applicants Petitioners will receive a copy of the Hearing Officer's Findings of Fact, Conclusions of Law, and Recommendations, and the Secretary's Order.

ml) A Petitioner will be required to complete and submit an investigative alcohol and drug evaluation as part of the Secretary's investigative process, where the evidence indicates that: ~~alcohol or drug use may have been involved in a traffic violation; a traffic accident or any crime:~~

1) The current loss of driving privileges is not related to a DUI arrest/disposition yet the Petitioner's driving record contains a prior DUI disposition within the last ten (10) years for which the Petitioner did not or was not required to submit to the Secretary of State an alcohol/drug evaluation to obtain driving privileges; or

2) The Petitioner may be a user of alcohol or any other drug to a degree which renders such a person incapable of safely driving a motor vehicle. (See Section 6-103.4 of the Code). The Petitioner will be required to complete any recommended rehabilitative activity or provide a waiver thereof.

nm) A Petitioner whose driving privileges have been revoked, cancelled or whose driver's license has expired will be required to submit to a driver's license examination prior to the issuance of a RDP. ~~If no such test has been successfully completed in the preceding twelve (12) months:~~

(Source: Amended at 17 Ill. Reg. 6274, effective May 1, 1993)

Section 1001.430 General Provisions for Reinstatement of Driving Privileges after Revocation

a) In all cases, a conviction in a court of law in Illinois or any other state is dispositive of the guilt of an Applicant Petitioner of the offense which caused his/her revocation.

b) If revocation was for a cause that has been removed, such as the reversal of a conviction upon which revocation was entered, the Applicant Petitioner must demonstrate that fact by clear and convincing evidence.

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c) The factors which will be considered by the Department in determining the propriety of reinstating an Applicant Petitioner whose driving privileges have been revoked include but are not limited to: The Applicant's Petitioner's age; whether the Applicant Petitioner has driven while suspended or revoked; duration of present employment; number of years licensed to drive; number, severity, and frequency of accidents; frequency type, and severity of traffic violations; efforts at rehabilitation or reform of past driving practices; demeanor of Applicant Petitioner in hearing; credibility of Applicant Petitioner and witnesses in hearing; credibility and weight of Applicant's Petitioner's documentary evidence; Applicant's Petitioner's total driving record, including but not limited to reasons for violations, prior permits issued (unless such permit was issued pursuant to the order of circuit or appellate court following an administrative review action) and driving record while on any permit; driving history in another state if licensed previously; reports of probation and/or parole officers; and psychiatric reports where the evidence shows that Petitioner is suffering or has suffered from a psychiatric disorder which might effect his/her ability to operate a motor vehicle in a safe and responsible manner.

d) A Petitioner will be required to complete and submit an investigative alcohol drug evaluation as part of the Secretary's investigative process, where the evidence indicates that: alcohol-or-drug-use may have been involved in a traffic violation; a traffic accident or any crime;

1) The current loss of driving privileges is not related to a DUI arrest/disposition yet the Petitioner's driving record contains a prior DUI disposition within the last ten (10) years for which the Petitioner did not or was not required to submit to the Secretary of State an alcohol/drug evaluation to obtain driving privileges; or

2) The Petitioner may be a user of alcohol or any other drug to a degree which renders such a person incapable of safely driving a motor vehicle. (See Section 6-103.4 of the Code). The Petitioner will be required to complete any recommended rehabilitative activity or provide a waiver thereof.

e) A Petitioner will be required to submit to a driver's license examination prior to the reinstatement of driving privileges if no such test has not been successfully completed in the preceding twelve (12) months.

f) In either case of subsections (b) and (c), the public welfare and safety must not be endangered by the reinstatement of the Applicant's Petitioner's driving privileges. The Applicant, Petitioner, if restored to driving privileges, must operate a motor vehicle

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safely so as not to be a danger to himself or herself or other drivers on the road. The mere passage of time since the date of revocation is not sufficient evidence.

g) A hearing for reinstatement will not be conducted at any time before the prescribed date of eligibility.

h) The driving privileges of a Petitioner shall not be reinstated while any traffic offense is pending against him/her in any court.

i) The Director or a designee shall make the final decision, on each application, on behalf of the Secretary. If relief was sought at a Formal Hearing, Applicants Petitioners will receive a copy of the Hearing Officer's Findings of Fact, Conclusions of Law, and Recommendations, and the Secretary's Order.

(Source: Amended at 17 Ill. Reg. 6274, effective May 1, 1993)

Section 1001.440 Provisions for Alcohol and Drug Related Revocations, Suspensions, and Cancellations; ~~and Denials~~ Pursuant to Sections 6-203(a)2, 6-205(d), 6-206(a)1, 6-206(a)6, 6-206(a)17, 6-206(a)24, 6-206(a)31, 6-201, 6-203, 6-203.1 and 11-501.1

a) Except as provided in Subsection (a)(1) below, in any application for reinstatement, a RDP, or the termination of an order of cancellation, ~~or relief following the denial of an application for driving privileges;~~ all Applicants Petitioners must submit an alcohol and drug evaluation and, where required, evidence of successful completion of an alcohol and drug-related driver remedial course and/or evidence of successful completion of treatment or proof of adequate rehabilitative progress. ~~Out-of-State Applicants who seek relief from an Illinois suspension or revocation and who have been classified as level I or II in an alcohol and drug evaluation must provide proof of the successful completion of a licensed alcohol/drug remedial education course;~~

1) An alcohol and drug evaluation submitted by a resident of Illinois must have been conducted by an individual or an agency licensed by DASA; ~~a physician licensed to practice medicine and to provide evaluations; or a hospital-based DUI program where an applicant has received substance abuse treatment or has previously submitted such an evaluation at a prior hearing;~~ An alcohol or drug-related remedial course completed by an Illinois resident must have been provided by an individual or agency licensed by DASA. (See 77 Ill. Adm. Code 2056.5). Exceptions to these requirements will be allowed in the cases listed below. In such case, the evaluation and remedial course must be provided by an individual or agency accredited by the state in which the individual or agency operates; ~~(See 77~~

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Ill-Adm-6056-5):

A) If the Petitioner is currently and has been continuously employed, in a civilian or military capacity, outside the state of Illinois for a period of at least three (3) months;

B) If the Petitioner received treatment for alcohol or drug abuse from a treatment program located outside the State of Illinois, which has been appropriately accredited by the state in which it operates;

6)---If the Petitioner is a member of the military who at the time of application is stationed outside the State of Illinois;

RC) If the Petitioner is a student at a college, university or technical school located outside the State of Illinois.

2) The choice of these programs is within the discretion of the Applicant-Petitioner. The evidence submitted must be typewritten, although the evaluator may testify at any hearing.

3) The Department may provide Applicants Petitioners who inquire with a list of programs, from which the Applicant Petitioner may choose an evaluator and remedial programs, but the Applicant Petitioner is not limited to the use of persons or programs on this list.

4) The alcohol and drug evaluation (uniform report) as defined in Section 1001.410 must conform to the standards for an evaluation set by DASA. (See 77 Ill. Adm. Code 2056.305). The evaluation must be signed and dated by both Petitioner and evaluator.

5) The alcohol and drug-related driver remedial program must, at a minimum, conform to the standards for alcohol/drug remedial education courses set by DASA. (See 77 Ill. Adm. Code 2056. Subpart b).

6) The alcohol and drug evaluation must be current, which is defined as having been completed within six (6) months of the date of the hearing.

A) Updates--of--original An updated evaluation shall be conducted only by the same program which conducted the original evaluation; unless the Applicant's case file is transferred to another program which prepares the update; if an update cannot be obtained from the original records;

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then--another--original--evaluation--must--be--submitted-- Exceptions to this requirement will be allowed under the circumstances detailed below:

1) If the Petitioner's casefile or copies of all casefile material are transferred to another program which prepares the update. Such transfer will be considered acceptable only if the original evaluating program can no longer provide evaluation services for reasons such as a suspended or revoked license or voluntarily terminating evaluation business operations. If an update cannot be obtained by reviewing the original casefile information, another original evaluation must be submitted.

2) If the Petitioner completes treatment recommended as a result of the most recent alcohol and drug evaluation, the program providing such treatment may prepare any subsequent updated evaluation from their own casefile information without obtaining such information from the evaluating program that made the treatment recommendation.

B) An updated evaluation shall contain, at a minimum, the following: a description of alcohol/drug use and/or abuse covering the time since the last evaluation or update; any impairment of significant life areas since the last evaluation or update; (77-III-Adm-6056-305(a)(2)-(6)) the evaluator's previous and current alcohol/drug-use classification of the Applicant; Petitioner; any current recommendation(s) and the rationale for such recommendation(s); and an indication that Petitioner has or has not completed all prior recommendations. The updated evaluation must be corroborated by an interview with a family member or significant other. The information obtained must be summarized and the evaluator should indicate whether it corroborates the data provided by the Applicant- Petitioner. The updated evaluation must be typewritten on a form provided by the Department, and verified by the evaluator. The program must meet the same standards as programs qualified to prepare original evaluations. (See subsection (a)(1) of this Section).

1) Any updated evaluation, which reclassifies a Petitioner to or within level II or III, shall include a referral to a treatment provider for the purpose of determining the need, if any, for additional rehabilitative activity. Any waiver of additional rehabilitative activity by the treatment provider

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must be in writing and include the rationale for the waiver. Any recommendation for additional rehabilitative activity must be complied with before relief will be granted.

- 2) A Petitioner may not submit an updated evaluation if the uniform report evaluation being updated does not discuss the most recent DUI disposition. In such case the Petitioner must submit a uniform report evaluation.

C) An out-of-state alcohol and drug evaluation shall contain, at a minimum, the following: a complete alcohol and drug use history; a history of any alcohol and drug related offenses; a current alcohol/drug use classification of the Petitioner and the rationale for that classification; any recommendation(s) and the rationale for such recommendation(s). The evaluation must be corroborated by an interview with a significant other and by the administration of an objective test. The information obtained must be summarized and the evaluator should indicate whether it corroborates the data provided by the Petitioner. The evaluation must be verified by the evaluator. The individual or agency that completes the evaluation must be properly accredited or licensed in the state in which the individual or agency operates.

D) An investigative alcohol and drug evaluation shall contain, at a minimum, the following: a complete alcohol and drug use history; a history of alcohol and drug related driving and criminal offenses; a clinical impression of what the evaluation data indicates and the rationale for that conclusion; any recommendation(s) and the rationale for such recommendation(s). The evaluation must be corroborated by an interview with a significant other and by the administration of an objective test. The information must be summarized and the evaluator should indicate whether it corroborates the data provided by the Petitioner. The evaluation must be typewritten on a form provided by the Department and verified by the evaluator. The program that completes the evaluation must meet the same standards as programs qualified to prepare uniform report evaluations. (See subsection (a)(1)).

7)---The Hearing Officer shall require an alcohol/drug evaluation to be completed and submitted by the Applicant; as part of the Secretary's investigation process; where the evidence indicates that alcohol or other drugs may have been involved in a traffic violation; traffic accident or any crime.

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- 87) Any alcohol or drug related remedial course required as a result of an evaluation by this Part must be completed on a date after the most recent alcohol/drug-related violation; DUI arrest.

b) Before any driving relief will be granted, the Applicant Petitioner must prove by clear and convincing evidence: that he/she does not have a current problem with alcohol or other drugs; that he/she is a low or minimal risk to repeat his/her past abusive behaviors and the operation of a motor vehicle while under the influence of alcohol or other drugs; and that he/she has complied with all other standards as specified in this Subpart D. If the evidence establishes that the Applicant Petitioner has had an alcohol/drug problem, the Applicant Petitioner must also prove that said problem has been resolved.

1) Applicants Petitioners whose use of alcohol/drugs has been classified as Non-Problematic (level I) Minimal Risk must document successful completion of a 10 hour alcohol/drug remedial education course by submission of a document which reflects the completion of the requirements contained in 77 Ill. Adm. Code 2056.505(a)---through---(d)---where---applicable: Subpart D.

2) Applicants Petitioners whose use of alcohol/drugs has been classified as Problematic (level II) Moderate or Significant Risk must document successful completion of an alcohol/drug remedial course as specified in subsection (b)(1) above and the treatment recommended by the evaluator or other qualified professional recommended on referral by the evaluator. The treatment must be provided by an individual or agency licensed to provide such treatment by DASA or the Department of Public Health, or an individual therapist who is licensed as a private practitioner by the Illinois Department of Professional Regulation, or an out-of-state individual therapist or agency properly licensed by the state in which he/she operates.

3) Applicants Petitioners classified as Problematic-Use;---Dependent (level III) Dependent must document abstinence as required in subsection (e) below; the completion of treatment provided by a facility or facilitator licensed by DASA or the Illinois Department of Public Health; an individual therapist who is licensed as a private practitioner by the Illinois Department of Professional Regulation, or an out-of-state individual therapist or agency properly licensed by the state in which he/she operates; the establishment of an ongoing support/recovery program; and the completion of compliance with any additional treatment recommendations of his/her evaluator or treatment provider.

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4) Petitioner's classified as Level III Non Dependent must document: non-problematic use as provided in subsection (f) below; treatment provided by a facility or facilitator licensed by DASA or the Illinois Department of Public Health, an individual therapist who is licensed as a private practitioner by the Illinois Department of Professional Regulation, or an out-of-state individual therapist or agency properly licensed by the state in which he/she operates; compliance with any additional recommendations of his/her evaluator or treatment provider, including abstinence; and the further assessment by the treatment provider to identify the disorder causing the high risk behavior as required by DASA. (See 77 Ill. Adm. Code 2056.315).

45) In the event that a treatment provider does not require an individual classified Level II or Level III to complete at least the minimum amount and type of treatment specified by DASA, the treatment provider must supply the Department with a detailed explanation of the rationale for that decision. The treatment provider may not, however, under any circumstances, waive further assessment and counseling required of any Petitioner classified Level III Non Dependent.

c) The presence of more than one conviction-for DUI disposition on an Applicant's Petitioner's abstract shall create a rebuttable presumption that the Applicant Petitioner suffers from a current alcohol/drug problem and should, therefore, be classified at least as a Problematic-user-(Level II) Significant Risk).

d) Evidence which shall be considered in determining whether the Applicant Petitioner has met his/her burden of proof and; has overcome the presumption of a current alcohol/drug problem includes, but is not limited to, the following, where applicable:

- 1) The factors enumerated in Section 1001.430(bc) above;
- 2) The similarity of circumstances between alcohol or drug related arrests;
- 3) Any property damage or personal injury caused by the Applicant Petitioner while driving under the influence;
- 4) Changes in lifestyle and alcohol/drug use patterns following alcohol/drug related arrest, and the reasons therefor;
- 5) The chronological relationship of alcohol/drug related arrests;
- 6) Length of alcohol/drug abuse pattern;
- 7) Degree of self-acceptance of alcohol/drug problem;

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8) Degree of involvement in or successful completion of prior treatment/intervention recommendations following alcohol/drug related arrests; and support/recovery program;

9) Prior relapses from attempted abstinence;

10) Identification, treatment and resolution of any disorder causing high risk behavior as found in a further assessment required of any Petitioner classified Level III, Non Dependent;

11) The problems, pressures and/or external forces alleged to have precipitated the Petitioner's abuse of alcohol or other drugs on the occasion of each alcohol/drug related arrest, and the present status of the same; particularly whether they have been satisfactorily resolved;

12) The Petitioner's explanation for his/her multiple arrests and/or convictions for offenses involving alcohol/drugs, particularly for allowing the second and subsequent arrests/convictions to occur;

13) In out-of-state petitions the evaluator's rationale for classifying an Applicant Petitioner with multiple DUI convictions dispositions as a non-problematic user (Level I). In such cases it is particularly important that the evaluator's classification be based on complete and accurate information.

14) It is particularly important that the evaluator's classification be based on complete, accurate and consistent information. The probative value of evaluations which deviate from this standard will be diminished. The degree to which their probative value will be diminished will depend upon the degree to which the evaluation deviates from this standard and the standards imposed by DASA.

e) Applicants with a clinical impression of Problematic-User-Dependent Petitioners classified as Level III (High-Risk) Dependent or any other Petitioner with a recommendation of abstinence by a DASA licensed evaluator or treatment provider, should have a minimum of twelve (12) consecutive months of documented abstinence. Documentation of abstinence must be received from at least three (3) independent sources. The sources should not be fellow members of a support group; unless those members have regular and frequent contact with the Petitioner outside the group meetings. The Hearing Officer shall determine the weight to be accorded the documentation, taking into account the credibility of the source and the totality of the evidence adduced at the hearing. Letters or witness testimony documenting establishing abstinence should contain at a minimum, the following:

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- 1) The writer's person's relationship to Applicant Petitioner (friend, family member, fellow employee, etc.).
- 2) How long the writer person has known the Applicant- Petitioner.
- 3) How often the writer person sees the Applicant Petitioner (daily, weekly, monthly, etc.).
- 4) How long the writer person knows the Applicant Petitioner has abstained.
- 5) Letters must be dated and signed.

Waivers are discretionary when considering a RDP but shall not be granted unless Petitioner proves at least six (6) months continuous abstinence, and active involvement in a support program. When waivers are granted to a Level III Dependent Petitioner, he/she shall be required to supply the Office of the Secretary with monthly documentation of his involvement in the support program or the RDP will be cancelled.

- f) Petitioners classified as Level III Non Dependent must demonstrate at least twelve (12) consecutive months of non-problematic alcohol use, or abstinence, and abstinence from the use of illegal drugs. This evidence must be submitted from at least three (3) independent sources and generally comply with the standards set forth in subsection (e) above. Waivers are discretionary when considering a RDP, but shall not be granted unless the Petitioner demonstrates at least six (6) months of non-problematic alcohol use, or abstinence, and abstinence from the use of illegal drugs.

- fg) If the Applicant Petitioner has been attending a self-help program, such as Alcoholics Anonymous or Narcotics Anonymous, the Applicant Petitioner should present at least three dated and signed letters or witness testimony from fellow self-help program members documenting at a minimum the following:

- 1) How long the writer person has known the Applicant- Petitioner.
- 2) How long the Applicant Petitioner has attended the program.
- 3) How often the Applicant Petitioner attends the program.

- h) If the Petitioner's support/recovery program does not involve a structured, organized, recognized program such as A.A. or N.A., the Petitioner is required to identify what that program is, explain how it works and keeps Petitioner abstinent. The Petitioner is required to present either witness testimony or written verification of the program from at least three (3) independent sources involved in the

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program, which if letters, should be signed and dated and which must contain at a minimum, the following:

- 1) The person's relationship to Petitioner (friend, family member, fellow employee, etc.).
- 2) How long the person has known the Petitioner.
- 3) How often the person sees the Petitioner (daily, weekly, monthly, etc.).
- 4) How the person is involved in the Petitioner's recovery program, what role the person plays in helping the Petitioner abstain from alcohol/drugs.
- 5) What changes the person has seen in the Petitioner since Petitioner's abstinence.

- gi) If Applicant Petitioner has a self-help program sponsor, one (1) letter should be obtained from his/her sponsor documenting the above data: in subsection (g).

- hj) In cases where an Applicant Petitioner seeks a restricted driving permit to allow him/her to drive to self-help program meetings, he/she must provide specific information identifying at a minimum, the following:

- 1) The locations of the meetings he/she wishes to attend;
- 2) The days of the week when meetings are held at these locations;
- 3) The hours of the day when these meetings are held;

- ik) If the Petitioner has had alcohol or drug related treatment he/she must provide a narrative summary which includes, at a minimum, the following information:

- 1) A narrative summary which includes, at a minimum:
 - 3A) The name, address, and telephone number of treatment center.
 - 2B) The date the Petitioner entered treatment and the date the Petitioner was discharged from treatment; The number of days or hours the Petitioner was involved in treatment; the admitting and discharge diagnosis.
 - 3C) The type of treatment received, (e.g outpatient, intensive outpatient, or inpatient treatment; individual or group

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therapy).

4)---A summary of the Petitioner's involvement in treatment, including a discussion of those specific alcohol/drug related issues addressed during treatment, as well as the quality of the Petitioner's participation and overall response during treatment;

5D) A clinical impression or prognosis of either a Level II Petitioner's ability to maintain a non-problematic pattern, or a Level III Petitioner's ability to maintain a stable recovery where applicable. Specifically, the treatment provider's perception of what the Petitioner gained from the treatment experience and whether the experience was sufficient to substantially minimize the possibility of a recurrence of alcohol/drug related problems.

6E) Any recommendations for aftercare or follow-up support, and an indication of Applicant's Petitioner's participation, if applicable.

F) Rationale for any modification in the treatment requirements specified by DASA.

7G) The dated signature of the professional staff person providing the treatment information.

2) Copies of the following documents required by DASA:

A) Individualized Treatment Plan. See 77 Ill. Adm. Code 2058.333.

B) Discharge Summary and Aftercare Plan. See 77 Ill. Adm. Code 2058.339.

8J) If Petitioner is unable to provide the required information, he must provide documentary evidence of his attempts to obtain same and the reason for its unavailability.

9)---This Part applies to applications for driving relief white suspended, revoked, cancelled, or after denial of driving privileges for an alcohol/drug related offense or cause;

10) If an Applicant Petitioner presents an alcohol/drug evaluation that was obtained as a condition precedent to either obtaining a JDP or the disposition of a DUI charge, that evaluation must meet the requirements of this Section in order to be accepted by the Secretary of State.

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m) Out-of-state Petitioners whose last arrest for driving under the influence occurred before January 1, 1980 may be excused from the requirement of an evaluation if the other evidence required of the Petitioner, as set out hereinafter, indicates that the Petitioner does not have a current problem with alcohol or other drugs, that, if the Petitioner has had an alcohol problem, it has been resolved, that the Petitioner is now a low or minimum risk to repeat his/her past abusive behaviors and the operation of a motor vehicle while under the influence of alcohol or other drugs, and that the Petitioner can now be considered a safe and responsible driver. The rationale for this rule is that the length of time since the Petitioner's last DUI arrest indicates he/she is no longer a dangerous driver, and that Illinois' interest in a driver who no longer resides in this state is less than in one who resides in Illinois.

1) Petitioner must submit, at a minimum, the following evidence:

A) An affidavit regarding his/her alcohol/drug use, on a form provided by the Secretary of State;

B) At least three (3) letters of reference which, at a minimum, verify the frequency and amount of the Petitioner's alcohol/drug use for at least the last twelve (12) months prior to the hearing. Said letters should also discuss the Petitioner's character and ability to be a safe and responsible driver. The author must state how long he/she has known the Petitioner, how often he/she sees, speaks to, or otherwise has contact with the Petitioner, the nature of said contact, and the nature of their relationship.

C) If the Petitioner was required to participate in an alcohol/drug evaluation after his/her last arrest for driving under the influence, then the Petitioner must submit a copy of that evaluation.

D) If the Petitioner has received treatment for alcohol/drug abuse, then he/she must submit a copy of the discharge summary of that treatment (written by the agency which provided the treatment).

E) Petitioners who have been identified as or believe themselves to be alcoholic/chemically dependent must fulfill the requirements of subsection (b)(3) above pertaining to abstinence and the establishment of an ongoing support/recovery program.

F) Credible evidence of his/her driving record in the current

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state of residence. The Secretary of State may also obtain this evidence.

G) Any other relevant evidence which the Petitioner desires to provide.

2) Upon receipt of this evidence, it shall be reviewed by the Director of the Department, or a duly appointed Hearing Officer designated by the Director, for the purpose of determining whether the requirement of an alcohol/drug evaluation should be waived and the out-of-state petition disposed of based upon the evidence listed above. The factors recited in subsection (d) above shall be utilized and applied in making this determination.

(Source: Amended at 17 Ill. Reg. 6274, effective May 1, 1993)

Section 1001.450 New Hearings

If an Applicant Petitioner is denied any relief after a Formal Hearing conducted pursuant to the Rules of Subpart A hereof, either for cause or upon default, no new another formal or informal hearing will not be granted to that Applicant Petitioner until at least four (4) months have elapsed since the date of the hearing.

(Source: Amended at 17 Ill. Reg. 6274, effective May 1, 1993)

Section 1001.460 Requests for Modification of Revocations and Suspensions

- a) Revocations and suspensions will not be rescinded, except as provided by law or rule.
- b) Consideration for early termination of suspension may be given to an Applicant Petitioner under the following conditions:

- 1) No serious accidents on past record, as defined by Sections 6-205(a) and (b) and 6-206(a) of the Code.
- 2) No violations for at least 6 months, and no prior revocations or suspensions on the Applicant's Petitioner's driving record.
- 3) Intensity-of-hardship: Extent of Petitioner's culpability.

c) Mandatory revocations and suspensions cannot be reduced or modified in any way.

d) A discretionary revocation may be reduced to a suspension or the period of a discretionary suspension may be reduced for good cause shown. To be favorably considered, the Applicant must not have a

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Factors to consider include prior revocations or suspensions; (suspensions under the Illinois Safety Responsibility Law (Ill. Rev. Stat. 1987; 1991, ch. 95 1/2 par. 7-100 et. seq.) [625 ILCS 5/7-100 et seq.] and Sections 6-306.3, 13A-112 of the Code not withstanding), and the seriousness of the offense(s). must not be serious; a hardship must be demonstrated; the Applicant Petitioner must demonstrate that he/she is a low risk for repeating his/her behavior in the future. Other factors may be considered by the Hearing Officer.

e) Credit may be given to Petitioners whose Illinois driving privileges have been suspended or revoked pursuant to Section 6-206(a)6 of the Code for an out-of-state conviction for an offense which if committed in Illinois would be grounds for suspension or revocation, and whose driving privileges were suspended or revoked in that state; or, if the Petitioner is a member of the armed forces at the time of the offense and his/her Illinois driving privileges have been suspended or revoked pursuant to Sections 6-206(a)6 or (a)24 of the Code, if the Petitioner's military installation driving privileges were suspended or revoked as a result of his/her arrest or conviction for such an offense. ~~thus creating~~ The Petitioner must also demonstrate that said suspension or revocation created an undue hardship affecting the Petitioner's his/her ability to go to work and perform daily tasks in that state; ~~may be given credit for that out-of-state suspension or revocation against the period of his/her Illinois suspension or revocation.~~ Such credit shall be granted given against the Illinois suspension or revocation to be for the same period length of time actually served for the out-of-state or military suspension or revocation prior to the effective date of the Illinois suspension or revocation. A discretionary revocation will be modified to a suspension and terminated early, or the date of eligibility for full reinstatement of Illinois driving privileges shall be advanced.

f) Suspension periods are set by rule of the Department of Drivers Services to apply equally to all persons. Modifications in any way should be granted in only limited cases. This procedure should be used rarely and the reasons should be fully documented on the record.

(Source: Amended at 17 Ill. Reg. 6274, effective May 1, 1993)

Section 1001.470 Renewal, Correction and Cancellation of RDP's

a) The Holders of a RDP granted as a result of a Formal Hearing decision, if still valid or expired for 30 days or less, and who are is required to apply for reinstatement through a formal hearing; (See Section 1001.300), may apply for a new RDP through an informal hearing, using the procedures set forth in Subpart C of this part and providing all documentation required in Subpart D in cases which

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are alcohol/drug related.

- b) Applicants Petitioners who are required to apply for relief at a Formal Hearing or who choose to apply for relief at a Formal Hearing and who are issued a RDP, may apply for additional RDPs for different purposes at informal hearings. Petitioners so situated must produce the same evidence at the informal hearing as would have been required for favorable consideration at a Formal Hearing.
- c) Corrected RDPs will be issued to make necessary changes to the information on the RDP if changes in employment and driving limits are documented and verified. Corrected RDPs will expire on the same date as the original permit.
- d) RDPs will be cancelled or invalidated pursuant to Sections 6-303, 6-113, 6-201, 6-205(a), and 6-206(a) of the Code. The Secretary of State reserves the authority to cancel any restricted driving permit(s) previously issued to a Petitioner when the preponderance of the evidence taken at a subsequent hearing demonstrates that the Petitioner can no longer be considered a low risk to repeat his/her past abusive behavior and be a safe and responsible driver, has regressed in his/her recovery from an alcohol/drug problem, or otherwise in any way is no longer in compliance with the standards specified in this Subpart D.

(Source: Amended at 17 Ill. Reg. 6274, effective May 1, 1993)

Section 1001.485 Reinstatement Application Based Upon Issuance of Drivers License in a State Which is a Member of the Driver License Compact

- a) An Applicant Petitioner who whose driver's license is revoked in Illinois, is issued full driving privileges by a state that is a member of the Driver License Compact, and who requests reinstatement based upon that fact must request a hearing to apply for reinstatement to determine whether the license was properly issued.

- b) In determining whether the license was properly issued by the member state, the following factors shall be in issue:

- 1) whether one year has passed from the effective date of the revocation;
- 2) whether the Applicant Petitioner disclosed to the issuing state that the individual's privileges were withdrawn by the State of Illinois at the time of the application for the license in the other state;
- 3) whether the issuing state verified eligibility with the National Driver Registry;

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- 4) whether or not Illinois issued a clearance authorization indicating that the Applicant Petitioner is eligible for full driving privileges in Illinois;
- 5) whether the issuing state complied with all other requirements of the Driver License Compact;
- 6) such other issues as may be deemed relevant at the hearing.
- c) The burden of proof is upon the Applicant Petitioner who must show by clear and convincing evidence that the license was properly issued by the member state. Proof shall consist of the appropriate documents certified by the other state or jurisdiction.
- d) If the Applicant Petitioner cannot show that the license was properly issued by the member state, then prior to any reinstatement of driving privileges, all of the provisions of this Part 1001 are applicable and must be complied with.

(Source: Amended at 17 Ill. Reg. 6274, effective May 1, 1993)

DEPARTMENT OF FINANCIAL INSTITUTIONS
NOTICE OF EMERGENCY AMENDMENTDEPARTMENT OF FINANCIAL INSTITUTIONS
NOTICE OF EMERGENCY AMENDMENT

- 1) Heading of Part: Uniform Disposition of Unclaimed Property Act
- 2) Code Citation: 38 Ill. Adm. Code 180
- 3) Section Number: 180.85
Emergency Action: New Section
- 4) Statutory Authority: Implementing and authorized by the Uniform Disposition of Unclaimed Property Act (Ill. Rev. Stat. 1991, ch. 141, par. 101 et seq.) [765 ILCS 1025/1 et seq.]
- 5) Effective Date of Rule: April 6, 1993.
- 6) If this emergency rule is to expire before the end of the 150-day period, please specify the date on which it is to expire: N/A
- 7) Date Filed in Agency's Principal Office: April 6, 1993.
- 8) Reason for Emergency:
With the United States Supreme Court decision in Delaware v. New York (decided) March 30, 1993, questions arose regarding unclaimed property reporting by subsidiaries and affiliates. This rule clarifies the status of those entities, for reporting purposes. Those entities are currently preparing their reports for submission to the Department of Financial Institutions and are due in June 1993 which is prior to the date a rule can be adopted utilizing regular rulemaking.
- 9) A Complete Description of the Subjects and Issues Involved:
Section 180.85 clarifies the status of certain holders and their requirements to make reports to the Department of Financial Institutions under the Uniform Disposition of Unclaimed Property Act. No such confusion existed prior to the decision of the United States Supreme Court in Delaware v. New York (decided March 30, 1993).
- 10) Are there any proposed amendments to this Part pending? No
- 11) Statement of Statewide Policy Objectives: This rulemaking does not create or expand a state mandate as defined in Section 3(b) of the State Mandate Act (Ill. Rev. Stat., 1991, ch. 85, par. 2203).

12) Information and questions regarding this amendment shall be directed to:

Henry D. Sintzenich
Deputy Counsel
Department of Financial Institutions
500 Iles Park Place, Suite 510
Springfield, Illinois 62718
(217) 782-3704

The full text of the Emergency Amendment begins on the next page:

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NOTICE OF EMERGENCY AMENDMENT /TITLE 38: FINANCIAL INSTITUTIONS
CHAPTER I: DEPARTMENT OF FINANCIAL INSTITUTIONSPART 180
UNIFORM DISPOSITION OF UNCLAIMED PROPERTY ACT

Section	Definition
180.10	Definitions
180.20	Negative Reports
180.22	Format/Form of Reports
180.24	Incomplete/Inaccurate Report or Remittance
180.30	Safe Deposit Boxes
180.40	Cost of Mailing
180.50	Nominee and Street Name Property
180.60	Lawful Charges
180.70	Discontinuance of Interest or Dividends
180.80	Statute of Limitations
180.85	Situs
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180.90	Examination of Property Holders
180.92	Remittance of Securities and Commodities
180.94	Receipt and Sale of Securities and Commodities
180.100	Claims
180.110	Hearing on Claims

AUTHORITY: Implementing and authorized by the Uniform Disposition of Unclaimed Property Act (Ill.Rev. Stat. 1991, ch. 141, pars. 101 et seq.) [765 ILCS 1025/1 et seq.]

SOURCE: Filed November 20, 1977; emergency amendment at 3 Ill. Reg. 39, p. 225, effective September 14, 1979, for a maximum of 150 days; amended at 3 Ill. Reg. 48, p. 153, effective November 20, 1979; rules repealed, new rules adopted and codified at 8 Ill. Reg. 1464, effective January 18, 1984; amended at 15 Ill. Reg. 8555, effective May 24, 1991; amended at 16 Ill. Reg. 123, effective December 21, 1992; emergency amendment at 17 Ill. Reg., 6321 effective April 6, 1993, for a maximum of 150 days.

Section 180.85 Situs
EMERGENCY

Where a subsidiary or affiliate of a banking organization, business association or other entity incorporated, organized or created under the laws of another state is incorporated, organized or created under the laws of this State or by federal statute, unclaimed property held by such subsidiary or affiliate is deemed to be held by a holder incorporated,

organized or created under the laws of this State.

(SOURCE: 6321 Emergency rule added at 17 Ill. Reg. effective April 6, 1993, for maximum of 150 days.)

DEPARTMENT OF PUBLIC AID

DEPARTMENT OF PUBLIC AID

NOTICE OF EMERGENCY AMENDMENTS

NOTICE OF EMERGENCY AMENDMENTS

1) Heading of the Part: Aid To Families With Dependent Children

2) Code Citation: 89 Ill. Adm. Code 112

3) Section Number: Emergency Action:

112.370 New Section

4) Statutory Authority: Sections 9A-11 and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1991, ch. 23, pars. 9A-11 and 12-13) [305 ILCS 5/9A-11 and 5/12-13]

5) Effective Date of Amendments: April 9, 1993

6) If these Emergency Amendments are to expire before the end of the 150-day period, please specify the date on which it is to expire: Not Applicable

7) Date Filed in Agency's Principal Office: April 9, 1993

8) Reason for Emergency: This rulemaking implements the Court Order in Dubose v. Bradley, entered March 19, 1993. This Order was reached as a settlement of the issues in the case after previous rulings of the Court. Section 5.02 of the Administrative Procedure Act specifically allows for the implementation of Court Orders adopting settlements negotiated by an agency.

9) Complete Description of the Subjects and Issues Involved: This rule implements the Department's new Non-JOBS Education and Training Program. This program has been mandated by the Court Order in the case of Dubose v. Bradley entered in Federal District Court on March 19, 1993.

At the present time, entry into the JOBS program has been limited due to fiscal constraints. Money appropriated for JOBS is only capable of sustaining an average caseload of 18,000 clients. The Department reached that level in January. Intake was closed with very few exceptions on January 11, 1993.

The Dubose case was brought by the Legal Assistance Foundation arguing that while Federal law allowed the capping of intake into the JOBS program, the Federal law regarding child care was different and "guaranteed" child care for any person who is in an approved education and training program. The Judge agreed with the Plaintiffs' position and the Order was entered.

The Non-JOBS Education and Training Program uses the same criteria as the Department's regular JOBS program to determine whether or not a client's education or training program is approvable. However, unlike JOBS, there is no requirement that the client be participating in the program for at

least 20 hours per week. Only child care is provided under the Non-JOBS Education and Training Program. The client must obtain other services, such as transportation, from other sources. This program is only available when there are no appropriate JOBS slots available for the client. In addition, as appropriate JOBS slots become available in the future, clients in the Non-JOBS Education and Training Program may be placed in those slots by the Department.

10) Are there any Proposed Amendments pending to this Part? Yes

Sections	Proposed Action	Illinois Register Citation
112.78	Amendment	April 9, 1992 (17 Ill. Reg. 5436)
112.127	Amendment	December 18, 1992 (16 Ill. Reg. 19642)
112.145	Amendment	April 9, 1992 (17 Ill. Reg. 5436)
112.151	Amendment	April 9, 1992 (17 Ill. Reg. 5436)
112.250	Amendment	January 4, 1993 (17 Ill. Reg. 46)
112.252	Amendment	January 4, 1993 (17 Ill. Reg. 46)
112.253	Amendment	January 4, 1993 (17 Ill. Reg. 46)
112.254	Amendment	January 4, 1993 (17 Ill. Reg. 46)

11) Statement of Statewide Policy Objectives: These emergency amendments do not affect units of local government.

12) Information and questions regarding these Emergency Amendments shall be directed to:

Name: Judy Umunna
Address: Bureau of Rules and Regulations
Illinois Department of Public Aid
100 South Grand Avenue East, Third Floor
Springfield, Illinois 62762
Telephone: (217) 524-3215

The full text of the Emergency Amendments begins on the next page:

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DEPARTMENT OF PUBLIC AID

NOTICE OF EMERGENCY AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER b: ASSISTANCE PROGRAMS

PART 112
AID TO FAMILIES WITH DEPENDENT CHILDREN

SUBPART A: GENERAL PROVISIONS

Section

112.1 Description of the Assistance Program
112.5 Incorporation By Reference

SUBPART B: NON-FINANCIAL FACTORS OF ELIGIBILITY

Section

112.8 Caretaker Relative
112.9 Client Cooperation
112.10 Citizenship
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112.30 Age
112.40 Relationship
112.50 Living Arrangement
112.52 Social Security Numbers
112.54 Assignment of Medical Support Rights
112.60 Lack of Parental Support or Care
112.61 Death of a Parent
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SUBPART C: PROJECT CHANCE

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112.70 Participation Requirements For Project Chance
112.71 Individuals Exempt From Project Chance
112.72 Project Chance Participation/Cooperation Requirements
112.73 Failure to Participate with the Work Incentive Demonstration Program (Renumbered)
112.74 Project Chance Initial Assessment Process/Development of an Employability Plan
112.76 Project Chance Orientation
112.77 Conciliation and Fair Hearings
112.78 Project Chance Components
112.79 Project Chance Sanctions
112.80 Good Cause for Failure to Comply With Project Chance Participation Requirement⁶
112.81 Responsible Relative Eligibility For Project Chance

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112.82 Project Chance Supportive Services
112.83 Young Parents Program
112.84 Work Experience Evaluation Project
112.85 Four Year College/Vocational Training Demonstration Project

SUBPART E: PROJECT ADVANCE

Section

112.86 Project Advance
112.87 Project Advance Experimental and Control Groups
112.88 Project Advance Participation Requirements of Experimental Group Members and Adjudicated Fathers
112.89 Project Advance Cooperation Requirements of Experimental Group Members and Adjudicated Fathers
112.90 Project Advance Sanctions
112.91 Good Cause for Failure to Comply with Project Advance
112.93 Individuals Exempt From Project Advance
112.95 Project Advance Supportive Services

SUBPART F: EXCHANGE PROGRAM

Section

112.98 Exchange Program

SUBPART G: FINANCIAL FACTORS OF ELIGIBILITY

Section

112.100 Unearned Income
112.101 Unearned Income of Stepparent or Parent
112.105 Budgeting Unearned Income
112.106 Budgeting Unearned Income of Applicants Employed On Date of Application And/Or Date Of Decision
112.107 Initial Receipt of Unearned Income
112.108 Termination of Unearned Income
112.110 Exempt Unearned Income
112.115 Education Benefits
112.120 Incentive Allowances
112.125 Unearned Income In-Kind
112.126 Fairmarket Income
112.127 Lump Sum Payments
112.128 Protected Income
112.130 Earned Income
112.131 Earned Income Tax Credit
112.132 Budgeting Earned Income
112.133 Budgeting Earned Income of Applicants Employed On Date of Application And/Or Date Of Decision
112.134 Initial Employment
112.135 Budgeting Earned Income For Contractual Employees

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112.136 Budgeting Earned Income For Non-Contractual School Employees
112.137 Termination of Employment
112.138 Transitional Payments (Repealed)
112.140 Exempt Earned Income
112.141 Earned Income Exemption
112.142 Exclusion From Earned Income Exemption
112.143 Recognized Employment Expenses
112.144 Income From Work/Study/Training Program
112.145 Earned Income From Self-Employment
112.146 Earned Income From Roomer and Boarder
112.147 Income From Rental Property
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112.151 Exempt Assets
112.152 Asset Disregards
112.153 Deferral of Consideration of Assets
112.154 Property Transfers (Repealed)
112.155 AFDC Income Limit

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112.331 Four Month Extension of Medical Assistance Due to Child Support Collections
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Child Care Overpayments and Recoveries
Fees for Service for Transitional Child Care
Rates of Payment for Transitional Child Care

AUTHORITY: Implementing Article IV and authorized by Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1991, ch. 23, pars. 4-1 et seq. and 12-13) [305 ILCS 5/4-1 et seq. and 5/12-13]

SOURCE: Filed effective December 30, 1977; peremptory amendment at 2 Ill. Reg. 17, p. 117, effective February 1, 1978; amended at 2 Ill. Reg. 31, p. 134, effective August 5, 1978; emergency amendment at 2 Ill. Reg. 37, p. 4, effective August 30, 1978, for a maximum of 150 days; peremptory amendment at 2 Ill. Reg. 46, p. 44, effective November 1, 1978; peremptory amendment at 2 Ill. Reg. 46, p. 56, effective November 1, 1978; emergency amendment at 3 Ill. Reg. 16, p. 41, effective April 9, 1979, for a maximum of 150 days; emergency amendment at 3 Ill. Reg. 28, p. 182, effective July 1, 1979, for a maximum of 150 days; amended at 3 Ill. Reg. 33, p. 399, effective August 18, 1979; amendment at 3 Ill. Reg. 33, p. 415, effective August 18, 1979; amended at 3

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Ill. Reg. 38, p. 243, effective September 21, 1979, peremptory amendment at 3 Ill. Reg. 38, p. 321, effective September 7, 1979; amended at 3 Ill. Reg. 40, p. 140, effective October 6, 1979; amended at 3 Ill. Reg. 46, p. 36, effective November 2, 1979; amended at 3 Ill. Reg. 47, p. 96, effective November 13, 1979; amended at 3 Ill. Reg. 48, p. 1, effective November 15, 1979; peremptory amendment at 4 Ill. Reg. 9, p. 259, effective February 22, 1980; amended at 4 Ill. Reg. 10, p. 258, effective February 25, 1980; amended at 4 Ill. Reg. 12, p. 551, effective March 10, 1980; amended at 4 Ill. Reg. 27, p. 387, effective June 24, 1980; emergency amendment at 4 Ill. Reg. 29, p. 294, effective July 8, 1980, for a maximum of 150 days; amended at 4 Ill. Reg. 37, p. 797, effective September 2, 1980; amended at 4 Ill. Reg. 37, p. 800, effective September 2, 1980; amended at 4 Ill. Reg. 45, p. 134, effective October 27, 1980; amended at 5 Ill. Reg. 766, effective January 2, 1981; amended at 5 Ill. Reg. 1134, effective January 26, 1981; peremptory amendment at 5 Ill. Reg. 5722, effective June 1, 1981; amended at 5 Ill. Reg. 7071, effective June 23, 1981; amended at 5 Ill. Reg. 7104, effective June 23, 1981; amended at 5 Ill. Reg. 8041, effective July 27, 1981; amended at 5 Ill. Reg. 8052, effective July 24, 1981; peremptory amendment at 5 Ill. Reg. 8106, effective August 1, 1981; peremptory amendment at 5 Ill. Reg. 10062, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10079, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10095, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10113, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10124, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10131, effective October 1, 1981; amended at 5 Ill. Reg. 10730, effective October 1, 1981; amended at 5 Ill. Reg. 10733, effective October 1, 1981; amended at 5 Ill. Reg. 10760, effective October 1, 1981; amended at 5 Ill. Reg. 10767, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 11647, effective October 16, 1981; peremptory amendment at 6 Ill. Reg. 611, effective January 1, 1982, amended at 6 Ill. Reg. 1216, effective January 14, 1982; emergency amendment at 6 Ill. Reg. 2447, effective March 1, 1982, for a maximum of 150 days; peremptory amendment at 6 Ill. Reg. 2452, effective February 11, 1982; peremptory amendment at 6 Ill. Reg. 6475, effective May 18, 1982; peremptory amendment at 6 Ill. Reg. 6912, effective May 20, 1982; emergency amendment at 6 Ill. Reg. 7299, effective June 2, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 8115, effective July 1, 1982; amended at 6 Ill. Reg. 8142, effective July 1, 1982; amended at 6 Ill. Reg. 8159, effective July 1, 1982; amended at 6 Ill. Reg. 10970, effective August 26, 1982; amended at 6 Ill. Reg. 11921, effective September 21, 1982; amended at 6 Ill. Reg. 12293, effective October 1, 1982; amended at 6 Ill. Reg. 12318, effective October 1, 1982; amended at 6 Ill. Reg. 13754, effective November 1, 1982; rules repealed, new rules adopted and codified at 7 Ill. Reg. 907, effective January 11, 1983; rules repealed and new rules adopted and codified at 7 Ill. Reg. 2720, effective February 28, 1983; amended (by adding Sections being codified with no substantive change) at 7 Ill. Reg. 5195; amended at 7 Ill. Reg. 11284, effective August 26, 1983; amended at 7 Ill. Reg. 13920, effective October 7, 1983; amended at 7 Ill. Reg. 15690, effective November 9, 1983; amended (by adding sections being codified with no substantive change) at 7 Ill. Reg. 16105; amended at 7 Ill.

NOTICE OF EMERGENCY AMENDMENTS

Reg. 17344, effective December 21, 1983; amended at 8 Ill. Reg. 213, effective December 27, 1983; emergency amendment at 8 Ill. Reg. 569, effective January 1, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 4176, effective March 19, 1984; amended at 8 Ill. Reg. 5207, effective April 9, 1984; amended at 8 Ill. Reg. 7226, effective May 16, 1984; amended at 8 Ill. Reg. 11391, effective June 27, 1984; amended at 8 Ill. Reg. 12333, effective June 29, 1984; amended (by adding sections being codified with no substantive change) at 8 Ill. Reg. 17894; peremptory amendment at 8 Ill. Reg. 18127, effective October 1, 1984; peremptory amendment at 8 Ill. Reg. 19889, effective October 1, 1984; amended at 8 Ill. Reg. 19983, effective October 3, 1984; emergency amendment at 8 Ill. Reg. 21666, effective October 19, 1984 for a maximum of 150 days; amended at 8 Ill. Reg. 21621, effective October 23, 1984; amended at 8 Ill. Reg. 25023, effective December 19, 1984; amended at 9 Ill. Reg. 282, effective January 1, 1985; amended at 9 Ill. Reg. 4062, effective March 15, 1985; amended at 9 Ill. Reg. 8155, effective May 17, 1985; emergency amendment at 9 Ill. Reg. 10094, effective June 19, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 11317, effective July 5, 1985; amended at 9 Ill. Reg. 12795, effective August 9, 1985; amended at 9 Ill. Reg. 15887, effective October 4, 1985; amended at 9 Ill. Reg. 16277, effective October 11, 1985; amended at 9 Ill. Reg. 17827, effective November 18, 1985; emergency amendment at 10 Ill. Reg. 354, effective January 1, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 1172, effective January 10, 1986; amended at 10 Ill. Reg. 3641, effective January 30, 1986; amended at 10 Ill. Reg. 4885, effective March 7, 1986; amended at 10 Ill. Reg. 8118, effective May 1, 1986; amended at 10 Ill. Reg. 10628, effective June 1, 1986; amended at 10 Ill. Reg. 11017, effective June 6, 1986; Sections 112.78 through 112.86 and 112.88 recodified to 89 Ill. Adm. Code 160 at 10 Ill. Reg. 11928; emergency amendment at 10 Ill. Reg. 12107, effective July 1, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 12650, effective July 14, 1986; amended at 10 Ill. Reg. 14881, effective August 29, 1986; amended at 10 Ill. Reg. 15101, effective September 5, 1986; amended at 10 Ill. Reg. 15621, effective September 19, 1986; amended at 10 Ill. Reg. 21860, effective December 12, 1986; amended at 11 Ill. Reg. 2280, effective January 16, 1987; amended at 11 Ill. Reg. 3140, effective January 30, 1987; amended at 11 Ill. Reg. 4582, effective March 6, 1987; amended at 11 Ill. Reg. 5223, effective March 11, 1987; amended at 11 Ill. Reg. 6228, effective March 20, 1987; amended at 11 Ill. Reg. 9927, effective May 15, 1987; amended at 11 Ill. Reg. 12003, effective November 1, 1987; emergency amendment at 11 Ill. Reg. 12432, effective July 10, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 12908, effective July 30, 1987; emergency amendment at 11 Ill. Reg. 12935, effective August 1, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 13625, effective August 1, 1987; amended at 11 Ill. Reg. 14755, effective August 26, 1987; amended at 11 Ill. Reg. 18679, effective November 1, 1987; emergency amendment at 11 Ill. Reg. 18781, effective November 1, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20114, effective December 4, 1987; Sections 112.90 and 112.95 recodified to Sections 112.52 and 112.54 at 11 Ill. Reg. 20610; amended at 11 Ill. Reg. 20889, effective December 14, 1987; amended at 12 Ill. Reg. 844, effective January 1, 1988; emergency amendment at 12 Ill. Reg. 1929, effective

January 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 2126, effective January 12, 1988; SUBPARTS C, D and E recodified to SUBPARTS G, H and I at 12 Ill. Reg. 2136; amended at 12 Ill. Reg. 3487, effective January 22, 1988; amended at 12 Ill. Reg. 6159, effective March 18, 1988; amended at 12 Ill. Reg. 6694, effective March 22, 1988; amended at 12 Ill. Reg. 7336, effective May 1, 1988; amended at 12 Ill. Reg. 7673, effective April 20, 1988; amended at 12 Ill. Reg. 9032, effective May 20, 1988; amended at 12 Ill. Reg. 10481, effective June 13, 1988; amended at 12 Ill. Reg. 14172, effective August 30, 1988; amended at 12 Ill. Reg. 14669, effective September 16, 1988; amended at 13 Ill. Reg. 70, effective January 1, 1989; amended at 13 Ill. Reg. 6017, effective April 14, 1989; amended at 13 Ill. Reg. 8567, effective May 22, 1989; amended at 13 Ill. Reg. 16006, effective October 6, 1989; emergency amendment at 13 Ill. Reg. 16142, effective October 2, 1989, for a maximum of 150 days; emergency expired March 1, 1990; amended at 14 Ill. Reg. 705, effective January 1, 1990; amended at 14 Ill. Reg. 3170, effective February 13, 1990; amended at 14 Ill. Reg. 3575, effective February 23, 1990; amended at 14 Ill. Reg. 6306, effective April 16, 1990; amended at 14 Ill. Reg. 10379, effective June 20, 1990; amended at 14 Ill. Reg. 13652, effective August 10, 1990; amended at 14 Ill. Reg. 14140, effective August 17, 1990; amended at 14 Ill. Reg. 16937, effective September 30, 1990; emergency amendment at 15 Ill. Reg. 338, effective January 1, 1991, for a maximum of 150 days; emergency amendment at 15 Ill. Reg. 2862, effective February 4, 1991, for a maximum of 150 days; emergency expired July 4, 1991; amended at 15 Ill. Reg. 5275, effective April 1, 1991; amended at 15 Ill. Reg. 5684, effective April 10, 1991; amended at 15 Ill. Reg. 11127, effective July 19, 1991; amended at 15 Ill. Reg. 11447, effective July 25, 1991; amended at 15 Ill. Reg. 14227, effective September 30, 1991; amended at 15 Ill. Reg. 17308, effective November 18, 1991; amended at 16 Ill. Reg. 9972, effective June 15, 1992; emergency amendment at 16 Ill. Reg. 11652, effective July 1, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 11550, effective July 15, 1992; emergency amendment at 16 Ill. Reg. 13629, effective September 1, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 17724, effective November 9, 1992; amended at 16 Ill. Reg. 20147, effective December 14, 1992; amended at 17 Ill. Reg. 357, effective December 24, 1992; amended at 17 Ill. Reg. 813, effective January 15, 1993; amended at 17 Ill. Reg. 2253, effective February 15, 1993; amended at 17 Ill. Reg. 4312, effective March 25, 1993; emergency amendment at 17 Ill. Reg. 6325, effective April 9, 1993, for a maximum of 150 days.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

SUBPART J: CHILD CARE

Section 112.370 Non-JOBS Education and Training Program
EMERGENCY

- a) The Non-JOBS Education and Training Program is available to clients who cannot, due to fiscal limitations, immediately enter the JOBS (Job Opportunity and Basic Skills Training) program.
- b) Clients for whom there are no appropriate JOBS slots immediately available shall receive payment of child care expenses under the Non-JOBS Education and Training Program if the client is in an approved activity under (c) below. The policies and procedures for providing child care shall be the same under the Non-JOBS Education and Training Program as under the JOBS program. (See Section 112.82(e)(2) and Sections 112.350 through 112.366).
- c) The Non-JOBS Education and Training Program shall consist of the following components: Below Secondary Education (literacy, Basic Education, High School, Alternative High School, G.E.D., English as a Second Language); Job Skills Training (Vocational) and Postsecondary Education. The criteria for approval of an activity and for determining satisfactory participation in the activity shall be the same as under JOBS, except that the client shall not be required to participate for a minimum of twenty (20) hours per week for the activity to be approved. (See Sections 112.78 (a), (b) and (h) for approval criteria and satisfactory participation requirements for these activities).
- d) Persons participating in the Non-JOBS Education and Training Program may be placed into JOBS as resources allow and appropriate slots become available under JOBS. In such case, the client shall be subject to all rights and responsibilities under the JOBS program as administered by the Department. A person's participation or non-participation in the Non-JOBS Education and Training Program will not, in itself, delay or otherwise affect his or her entry into the JOBS program, nor prevent the Department from placing the person into the JOBS program.
- e) A person shall not be eligible for the Non-JOBS Education and Training Program when there is an appropriate JOBS slot immediately available for that person.

(Source: Emergency rule added at 17 Ill. Reg. 6325, effective April 9, 1993, for a maximum of 150 days)

DEPARTMENT OF FINANCIAL INSTITUTIONS

NOTICE OF PUBLIC INFORMATION

NOTICE OF NAMES OF PERSONS APPEARING
TO BE OWNERS OF UNCLAIMED PROPERTY WHOSE
LAST KNOWN ADDRESSES ARE IN CERTAIN STATES

TITLE 38: FINANCIAL INSTITUTIONS
CHAPTER I: DEPARTMENT OF FINANCIAL INSTITUTIONS

Pursuant to statutory requirement, the Illinois Department of Financial Institutions is publishing the names and last known addresses of unclaimed property owners whose last known addresses are allegedly in a state other than Illinois. The other state does not have a reciprocity arrangement with Illinois.

The abandoned property, reflected in this notice, has been placed in the custody of the Director of the Department of Financial Institutions to whom all further claims must be directed.

If your name or that of a person you represent appears below, you may contact the Department for further information about the assets.

INQUIRIES MUST BE IN WRITING. The written inquiry should include the name and address as listed, and the correct name and address for reply. If inquiring about a name other than your own, you must indicate your authority to act on behalf of that person.

Address written inquiries to:

UNCLAIMED PROPERTY DIVISION
DEPARTMENT OF FINANCIAL INSTITUTIONS
P.O. Box 19495
Springfield, Illinois 62794-9495

AUTHORITY: Implementing and authorized by the Uniform Disposition of Unclaimed Property Act, (Ill. Rev. Stat., 1991, ch. 141, par. 112) [765 ILCS 1025/12].

The list of names begins on the following page:

DEPARTMENT OF FINANCIAL INSTITUTIONS

NOTICE OF PUBLIC INFORMATION

ADAMS	JAMES	R 33800 OTTO ST FRASER	MI	48026-0000
ALDRICH	RHONDA	RT 2 BX 2 CAMANCHE	OK	73529-0000
ALONGI	MARY	7661 OSAGE ST DENVER	CO	80221-0000
AM BEST		AMBERST RD OLDWICK	NJ	08858-0000
ANDERSON	ELIZABETH	F 2231 E WISTERIA WAY ATLANTA	GA	30317-0000
ANDERSON	LEROY	26 PIEDMONT LANE SICKLERVILLE	NJ	80810-0000
ANDERSON	SHEILA	K 5214 MADISON AVE TRUMBULL	CT	06611-0000
ANDERSON	T	Z 2950 CAMP CREEK PKWY COLLEGE PARK	B-22 GA	30337-0000
ARNOLD	BARBARA	PO BOX 185 TORRINGTON	WY	82070-0000
ARP	LORI	L 1554 HIGH ST BOULDER	CO	80302-4222
ARTHUR BUICK		60636 CO RD 652 MATTAWON	MI	49071-0000
ARTHUR BUICK INC		305 S GLENDALE ANN ARBOR	MI	48103-0000
ATKINS	DAVID	4110 CRUCE HILL DR FORT SMITH	AR	72901-0000
BALCH PONTIAC BUICK		4161 OREGON PIKE EPHRATA	PA	17522-0000
BALLINGER	M	L 607 GASKILL ST SE ATLANTA	GA	30316-0000

DEPARTMENT OF FINANCIAL INSTITUTIONS

NOTICE OF PUBLIC INFORMATION

BALTHASER	LEROEY	D 3717 BRISBAN ST HARRISBURG	PA 17111-0000
BARNARD	ALBERT SAMUEL	823 PORTER WICHITA	KS 67203-3145
BARNARD	BURRYENE	W 823 PORTER WICHITA	KS 67203-3145
BARTASIS	FRANK	PO BOX NEWBERRY	MI 49868-0000
BARTOLOME	JOHN	C APT 29 ANCHORAGE	AK 99504-0000
BAX	JOSETTE	M	AD 00000-0000
BAYOU CHEVROLET INC		2020 W AIRLINE HWY LA PLACE	LA 70068-0000
BEARD	ROBERT	L 3325 TOWNE RIDGE ANTIIOCH	TN 37013-0000
BELL	RACHEL	I 2324 DODSON DRIVE EAST POINT	GA 30344-0000
BENAC	WILLIAM	T 2988 HIGH RIDGE RD STAMFORD	CT 06903-0000
BERNARD	KATHLEEN	E 1521 SHUNK ST PHILADELPHIA	PA 19145-0000
BEVILLE	COLENE	S 1400 W HOPE AVE 28 VINTA	OK 74301-0000
BEVILLE	JOHN	P 1400 W HOPE AVE 28 VINTA	OK 74301-0000
BILL MURPHY BUICK INC		1225 S COBBS CREEK PHILADELPHIA	PA 19143-0000
BLANCHETT	LORRI	D 3200 STONE RD ATLANTA	GA 30331-2925

DEPARTMENT OF FINANCIAL INSTITUTIONS

NOTICE OF PUBLIC INFORMATION

BLANKENSHIP	BARBARA	7955 MARTHA ST MILLINGTON	TN 38053-0000
BLANKENSHIP	CHRISTOPHER	R 7955 MARTHA ST MILLINGTON	TN 38053-0000
BLUNT	SUSAN	182 WOODVIEW COURT 291 ROCHESTER	MI 48063-0000
BOLLINGER	BETTY	J PO BOX 8622 SHAWNEE	KS 66208-0000
BOLLINGER	BRIAN	S PO BOX 8622 SHAWNEE	KS 66208-0000
BORAKER	WALTER	M PO BOX 287 ALS ANIMAS	CO 81054-0287
BORDON	C	A 4831 E HARVARD LN DENVER	CO 80222-0000
BOUCHER	WALTER	A DEPT F DETROIT	MI 48232-0000
BOYKIN	JOHN	T 4301 SPRINGDALE BALTIMORE	MD 21207-0000
BRADFORD	DOYLE	L 14349 FENTON REDFORD	MI 48239-0000
BRANDONLOWE	JUANITA	907 BENCHMARK DR ALBANY	GA 31707-0000
BRENNAWALD	RALPH	E 11 CYPRESS RD APT 43 ARCADELPHIA	AR 71923-0000
BRIDGE	WILLARD	C PO BOX 653 CHAMBERSBURG	PA 17201-0000
BRITTON	MARY	W BOX 41 CALHOUN	LA 71225-9801
BROPHY	SHARON	6813 HEGERMAN ST PHILADELPHIA	PA 19135-0000

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BROWN	J BARDON 22436 MICHIGAN AVE DEARBORN MI 48124-0000	CLEVELAND	DOROTHY A 609 WALBRIDGE DR EAST LANSING MI 48823-0000
BROWN	LILLIAN E 22436 MICHIGAN AVE DEARBORN MI 48124-0000	CLEVELAND	JOHN B 609 WALBRIDGE DR EAST LANSING MI 48823-0000
BRUZZO	GIOMBATTA C 1134 19 ST NW BETHESDA MD 20814-0000	CLEWORTH	JONATHAN 2 MEADOWBANK ROAD OLD GREENWICH CT 06807-0000
BUCKMAN	TODD L 1407 GIBBON HANNA WY 82070-0000	COLE	EDWARD 3519 SILVERSIDE RD WILMINGTON DE 19810-0000
BUDNEY	ALBERT J 15109 MANOR LAKE DR ROCKVILLE MD 20853-0000	COLLINS	THOMAS 12383 E WARREN DETROIT MI 48215-0000
BULLER	RONALD BOX 1388 LAKE CHARLES LA 70611-0000	COMMUNITY MANAGEMENT ASSOCIATION	PO BOX 1456 COLORADO SPRINGS CO 80901-0000
BUTLER	SHERNA Y 2300 EAST TEN MILE ROAD WARREN MI 48091-0000	CONNECTICUT NATIONAL BANK	HARTFORD CT 06101-0000
CAMPBELL	JAMES L 4 ENSIGH AVENUE BARNEGAT NJ 08005-0000	CONSTITUTION REHABILITATION CO	PO BOX 101603 ATLANTA GA 30392-0000
CAPALDI	MONICA 1635 VANKIRK PHILADELPHIA PA 19149-0000	CONVERSE	REIKO Y 136 ASHLEY ATHENS GA 30605-0000
CARLSON	RUTH E 18199 SUMAC DR BIG RAPIDS MI 49307-0000	COOK	DOROTHY AGNES 915 LEHIGH MAIN POST OFFICE BOX 1874 ENGLEWOOD CO 80110-0000
CARSON	ELEANOR K 545 LAROSE ST 10 PITTSBURGH PA 15226-0000	COOPER	JOHNNY 4362 CARMANWOOD AVE FLINT MI 48507-0000
CDA INVESTMENT TECHNOLOGIES	1355 PCCARD DRIVE ROCKVILLE MD 20850-0000	CORUSS	LYNN 2507 NOTTINGHAM WAY ALBANY GA 31707-0000
CHESHIRE	DAVID E 1605 NILES AVE BRUNSWICK GA 31520-6625	CORWIN	JAMES A RR 1 BOX 268 NEW BUFFALO MI 49117-9801
CHESIRE	JOY K 1605 NILES AVE BRUNSWICK GA 31520-6625	COX	NATHANIEL 4308 CLASSEN OKLAHOMA CITY OK 73118-0000
CLARK	R J 749 GRANT TERR ATLANTA GA 30315-0000	CROSS	ROY PO BOX 71 MILLERSVILLE PA 17551-0000

DEPARTMENT OF FINANCIAL INSTITUTIONS

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CRUTCHER V F RT 6 BOX 10 SHAWNEE OK 74801-0000

CURWEN DAVID D 672 9TH AVE FAIRBANKS AK 99701-0000

DAMPIER CARLTON 332 VALLEY VIEW CHESTER SPRINGS PA 19425-0000

DAN VADEN CHEVROLET INC PO BOX 14217 SAVANNAH GA 31416-0000

DEANGELIS PETER 68 JODI DR MERIDIAN CT 06450-0000

DERRY ELISHA W 4832 N FRANKLIN ST PHILADELPHIA PA 19120-0000

DEVERA ORAWAN 977 TALLOW HILL ROAD CHAMBERSBURG PA 17201-0000

DIGITAL TEK DEVELOPMENT PARTNERS PO BOX 1544 AIKEN SC 29802-1544

DILLARD TAYLOR 6600 N HARVEY STE 140 OKLAHOMA CITY OK 73116-0000

DIXIT VIJAY K 969 LAKE SHORE DRIVE GROSSE PTE SHRS MI 48236-0000

DONALDSONMATHIEWS KATHY 1616 CYNTHIA DR MIDWEST CITY OK 73130-0000

DOWNES DORIS L 407 HARTFORD DR CINNAMINSON NJ 08077-0000

DRESSBACK WILLI H 4389 STONEBRIDGE 2 WYOMING MI 49509-0000

DULMAN MORRIS 203 MONTAUK AVE NEW LONDON CT 63200-0000

DURAN EDDY O 203 TUXEDO PARKWAY NEWARK NJ 07106-0000

EGLAND CHRIS M 91 DEFRANCE WAY GOLDEN CO 80401-0000

EGLAND SHARON L 91 DEFRANCE WAY GOLDEN CO 80401-0000

EMPIRE TOOL CO 1150 LAMBS ROAD MEMPHIS MI 48041-0000

EPPLEY JOSEPH W 1612 W BANCROFT DR CROFTON MD 21113-0000

EVANS JEDI PO BOX 5058 N CHARLESTON SC 29406-0000

FAIRELL C J 50 MT ZION RD APT W-3 ATLANTA GA 30354-0000

FANNING CADILLACBUICK 2013 BRANDYVINE PHILADELPHIA PA 19130-0000

FEY MILDRED A 15 PAVONIA AVE KEARNEY NJ 70320-0000

FIELDS KENNETH M 914 MARKET EMPERIA KS 66801-0000

FISCHER MARION J 22251 48 1\2 STREET GRAND JUNCTION MI 49056-0000

FLEMING EDWARD F 137 GREEVES ST KANE PA 16735-0000

FLORES ELMA 3519 SILVERSIDE RD WILMINGTON DE 19810-0000

FOURNIER DANIEL CINC PAC FLT PEARL HARBOR HI 60680-0000

FOWLER JERRY D 1213 FOXCROFT APT 7 MUSKOGEE OK 74401-0000

FRIEND J ROBERT 72 OLD FRAM LN FAIRFIELD CT 06430-0000

DEPARTMENT OF FINANCIAL INSTITUTIONS

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GALLAGHER	EMMA	J 305 N JONES ST STAMPS	AR 71960-2450	GRINTON	STEPHEN	F 2645 E LAKE SHORE DR BATON ROUGE	LA 70808-0000
GAPNEPIAH	KENNETH	A 10170 SE CINDY LANE BORING	OR 97009-0000	GUDMESTAD	CHARLES	D 404 REVERE DRIVE HARLEYSVILLE	PA 19438-0000
GILLOOLY	MARY	R PO BOX 27 SOUTH BOARDMAN	MI 49680-0000	GUY	CATHY	DEPT F DETROIT	MI 48232-0000
GILLOOLY	VERONICA	J PO BOX 27 SOUTH BOARDMAN	MI 49680-0000	HAGEY	RONALD	R 4272 SPRING HOUSE LANE NORCROSS	GA 30092-0000
GILSDORF	JOHN	B 9625 HINTCLIFF TERRACE ATLANTA	GA 30350-0000	HALE	JOHN	923 ASPEN DR BIRMINGHAM	AL 35209-0000
GLOVER	GRACE	21235 PLACE N FERNDAL	MI 48220-0000	HALL	ALFRED	8531 MICHNER AVE PHILADELPHIA	PA 19150-0000
GOODWIN	WARREN	W 3565 WARDS PTE ORCHARD LAKE	MI 48033-0000	HALLOCK	MARGARET	E 435 CONEWAGO DR DOVER	PA 17315-1604
GORE	GERALD	H RR 1 BOX 79A ASHVILLE	AL 35953-9801	HAMRIN	STEVEN	C 106 KNOLLWOOD DR NEW PROVIDENCE	NJ 07974-1639
GOTTRIED	JONATHAN	1535 QUARRY LANE LANCASTER	PA 17603-2468	HARDIN	ALVIE	PO BOX 35 HENDERSON	AR 72544-0000
GOTTRIED	PAUL	1535 QUARRY LANE LANCASTER	PA 17603-2468	HARDY	WASH	G 8330 E JEFFERSON DETROIT	MI 48214-0000
GRAHAM	C	W 61-313 KAMEHAMEHA WAY HALEIWA	HI 96712-0000	HARRELL	MELTON	690 PIEDMONT AVE NORTHEAST ATLANTA	GA 30365-0000
GREEN	GEORGE	W 8634 N CRAWFORD ST BOX 03071 PORTLAND	OR 97203-0000	HARRELL	MELTON	866 OAKDALE RD NE ATLANTA	GA 30307-0000
GREER	DAVID	M 30 E CLEBURN ST FAYETTEVILLE	AR 72701-2001	HARRIS	M	2571 CANDLER RD APT K-3 DECATUR	GA 30032-0000
GREER	LOUISE	S 30 E CLEBURN ST FAYETTEVILLE	AR 72701-2001	HAYES	SONIA	B 8 REGENT COURT BRICK	NJ 08723-0000
GRIFFIN	WILLIAM	F BOX 41 CALHOUN	LA 71225-9801	HECK	MICHAEL	R 15078 E MEXICO DR AURORA	CO 80012-5752

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HEISELMEYER	CRAIG	E 843 MITCHELL COLORADO SPRINGS	CO 80916-0000	JACKSON	KASTER	4260 SEMINOLE DETROIT	MI 48214-0000
HENKELS	DEB	K 518 LOWER LINE NEW ORLEANS	LA 70118-0000	JACKSON	MAMTE	L 133 SPRING ST TRENTON	NJ 86180-0000
HICKMAN	SARAH	C 66 SOUTH CLARKSON STREET NO 9 DENVER	CO 80209-2150	JACKSON	ROBERT	L 1570 REDDINGTON LANE NORCROSS	GA 30093-0000
HOGAN	EILEEN	R 3504 E 11TH AVENUE DENVER	CO 80206-0000	JACKSON	RUFUS	46 ALGER DETROIT	MI 48202-0000
HOLLAND	DEBRA	L 3361 BROOKWOOD MONTGOMERY	AL 36116-0000	JAMES L MITCHELL ASSOCIATES		4705 DORSET AVE CHEVY CHASE	MD 20015-0000
HONAKER	MARITA	101 INDIAN LN WALDORF	MD 20601-0000	JEZEWSKI	CHESTER	5230 ORANGE HOT SPRINGS	AR 71901-0000
HOOLAHAN	LYDIA	SCHWANHAUSSER ST 7 NUERNBERG 10W	NJ 08500-0000	JEZEWSKI	STEFANICA	5230 ORANGE HOT SPRINGS	AR 71901-0000
HOPE	CLARA	2604 FIELDCREST DR HUNTSVILLE	AL 35801-0000	JIM GOLMORE PONTIAC CADILLAC		411 WEST KALAMAZOO KALAMAZOO	MI 49007-0000
HORNER RAUSCH OPTICAL COMPANY		968 MAIN STREET NASHVILLE	TN 37206-0000	JOHNSON	BRIAN	H 5785 SUNSET MAPLE DR ALPHARETTA	GA 30202-7276
HOSEY	DWIGHT	15860 JOY RD DETROIT	MI 48228-0000	JOHNSON	CHARLES	204 CHESTNUT BATTLE CREEK	MI 49017-3768
HUFFMAN	JAMES	M 1180 BANNISTER CIRCLE WALDORF	MD 20602-0000	JOHNSON	ERIK	V 41 BROOKSIDE DR TRUMBALL	CT 06611-3256
HURD BUICK GMC INC		611 WOODWARD DETROIT	MI 48226-0000	JOHNSON	JANICE	M 41 BROOKSIDE DR TRUMBALL	CT 06611-3256
HYDER	DAVID	RT 4 BOX 464AA ELIZABETHTON	TN 37643-0000	JOHNSTON	PATRICK	T 1658 SKY TERRACE SE SALEM	OR 97306-0000
INSTANT BUTTONS		18 SELDEN ST PO BOX 3896 WOODBIDGE	CT 06525-0000	JOHNSTONE	RICHARD	O APT A CHARLESTON	SC 29418-4858
ISKCON NEW VRINDABAN		ROAD 1 BOX 319 MOUNDSVILLE	WY 82901-0000	JOSEPH	THOMAS	9 FOUNTAINHEAD COURT NASHVILLE	TN 37027-0000

DEPARTMENT OF FINANCIAL INSTITUTIONS

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KAIN	KATHY	18235 ONYX SOUTHFIELD	MI 48075-0000	KNOPPER	MAURICE	M 28305 FRANKLIN RD SOUTHFIELD	MI 48034-0000
KANASTER	L	D 14157 W VIRGINIA DR LAKEWOOD	CO 80228-0000	KOCH	ALICE	110 NORTH WASHINGTON STREET ROCKVILLE	MD 20850-0000
KEEFE	PAT	D 12030 SOUTHWEST 60TH PORTLAND	OR 97219-0000	KOEPKE	GARRETT	304 N HOOK RD PENNSVILLE	NJ 08070-0000
KEENE	BERTHA	3315 COCHRAN DRIVE COLORADO SPRINGS	CO 80916-0000	KOKOSZKA	F	R 394 WALNUT ST NEWARK	NJ 07105-0000
KEENE	LARRY	3315 COCHRAN DRIVE COLORADO SPRINGS	CO 80916-0000	KOPTA	LAURICE	A 1928 COLGROVE AVE KALAMAZOO	MI 49001-0000
KELLMAN	HARVEY	L 42 MERRY LANE WESTON	CT 06880-0000	KOPTA	LAWRENCE	W 1928 COLGROVE AVE KALAMAZOO	MI 49001-0000
KELLMAN	SHARON	L 42 MERRY LANE WESTON	CT 06880-0000	KULP	THOMAS	J 2330 GRANDVIEW TERRACE MANHATTAN	KS 66502-0000
KELLY BUICK INC		PO BOX 629 ENHAUS	PA 18049-0000	LABARBERA	CARMELLA	7661 OSAGE ST DENVER	CO 80221-0000
KING	D	825 E 52ND ST N TULSA	OK 74126-0000	LABBE	JEANNE	PO BOX 37 RIVERSIDE	CT 06878-0000
KING MOTORS OF FT LAUDER DALE		85 E HARWOOD MADISON HTS	MI 48071-0000	LAKEY	DENNIS	5016 CHAPPAREL DR LARAMIE	WY 82070-0000
KITTENDORF	CHARLES	F 420 OLOHANA HONOLULU	HI 96815-2176	LANDMARK CHEVROLET		PO BOX 67 HUNTSVILLE	AL 35804-0000
KJOS	MICHAEL	D 405 BEACH DR ANNA	MD 21403-0000	LANNING	IRENE	1403 S OWASSO TULSA	OK 74120-0000
KLEIN	JOSEPH	M 33 HIGHLAND TERRACE IVORYTON	CT 06442-0000	LAROQUE	WALTER	J 1750 SAINT CHARLES AVENUE NEW ORLEANS	LA 70130-0000
KLEIN	MARY	C 411 GEORGIA AVENUE MORTH CHARLESTON	SC 29404-0000	LAWLER	ROY	L RT 9 BOX 142A RUSSELLVILLE	AL 35653-0000
KLEIN	ROBERT	S 33 HIGHLAND TERRACE IVORYTON	CT 06442-0000	LEE	CHI KWONG	124 WOODSTOCK AVE RUTLAND	VT 57010-0000

DEPARTMENT OF FINANCIAL INSTITUTIONS

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MAIER JILL 1001 DUNCAN ANN ARBOR MI 48019-0000

MAINOR
REGINALD
C 17 HENRIETTA ST
SAVANNAH
GA 31404-0000

MALDONADO RAFAEL T 3301 OGEECHEE RD
SAVANNAH GA 31409-0000

MALLETT
 JOHN
 W 3519 SILVERSIDE RD
 WILMINGTON
 DE 19810-0000

MALONEY	EDWARD	A	ANNAPOLIS	MD	00000-0000
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MANLEY DAVID L 12401 TRAIL OAKS OK 73120-0000

MANLEY NAOMI 12401 TRAIL OAKS OK 73120-0000

MAPLE
PATSY
ROUTE 1
WALNUT RIDGE
AR 72476-0000

MARCOTTA
KENNETH
8555 SOUTH LEWIS 284
TULSA
OK 74137-0000

MARKHAM RICHARD A 936 E 12TH AVE 9 DENVER CO 80218-2869

MARKOWSKI
FRANK
4403 COVE ISLAND DR
MARIETTA
GA 30067-3615

MAROON PONTIAC GMC
2455 HAMBURG TPKE
WAYNE
NJ 74700-0000

MARTES
NICOLE
L 2117 ST ROCH AVE
NEW ORLEANS
LA 70117-0000

MARTIN
PAUL
H RR 2 BOX 182A
LEWISBURG
PA 17837-0000

MATHIS R 1050 BEAUREGARD APT C6
ATLANTA GA 30316-0000

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MATTHEWSON	FERN A PO BOX 15289 NEW ORLEANS LA 70175-5289	MILLER	HENRY R 8 W LAKE AVE LAKE PINE MARLTON NJ 08053-0000
MATTIA	ALEXANDRIA A 58 MOORE PL BELLEVILLE NJ 71080-0000	MILTON	JOYCE M 148 STONEWALL MEMPHIS TN 38104-0000
MAXFIELD	DONALD V 8925 HUNTCLIFF LAKE CT ATLANTA GA 30338-0000	MODESITT	DAVID L RR 9 BOX 29 PARKERSBURG WV 26101-9284
MAYFIELD	L P 1380 N VALLEY CLIFF WAY APT F DECATUR GA 30309-0000	MODUGNO	CYNTHIA M 1977 STAFFORD PL MARIETTA GA 30062-6070
MAZZAROWE	ROBERT RD I 65 LEO AVE STANHOPE NJ 78740-0000	MODUGNO	MATTHEW R 1977 STAFFORD PL MARIETTA GA 30062-6070
MCCAGHREN	DALLEN D PO BOX 8345 GADSDEN AL 35902-0000	MOORE	JAMES W PO BOX 366 ABERDEEN MD 21005-0000
MCCOY	GLORIA PO BOX 32 MEDICINE PARK OK 73557-0000	MORACZEWSKI	ADAM J GENERAL DELIVERY SAINT CLAIR SHORES MI 48080-9999
MCELVEIN	CARL 812 LASALLE DODGE CITY KS 67801-0000	MORIN	MARJORIE D 25208 RUBIN WARREN MI 48089-0000
MCGUIRE	DAVID 1624 EDGEWATER PLACE BROKEN ARROW OK 74012-0000	MUNOZ	CARMEN 15357 ELLEN DR LIVONIA MI 48159-0000
MEDEIROS	J K 1718 ANAPUNI ST #505 HONOLULU HI 96822-0000	MUNOZ	PATRICIA P 4305 HILLEN HILL ROAD NORMAN OK 73072-5116
MENIST	SAMUEL 3519 SILVERSIDE RD WILMINGTON DE 19810-0000	MURL	ELAINE R 7806 HAMPTON DR MORRISVILLE PA 19067-0000
MIELE	JOSEPH J 1028 WAYSIDE RD WAYSIDE NJ 07712-3196	MURPHY	DONALD 29520 GREENLAND LIVONIA MI 48154-0000
MIKE SMITH OLDSHONDA	DEPT F DETROIT MI 48232-0000	MURRAY	KATHLEEN 1613 ROLLING GLEN RD BOOTHWYN PA 19061-0000
MILFERT	FRANK 2137 PALM BEACH AVE PITTSBURGH PA 15216-0000	MUSSON	M 901 JOY RD LOT 287 COLUMBUS GA 31906-0000
MILLER	CATHERINE E 63RD PL AND MEMORIAL TULSA OK 74133-0000	MYERS	DOROTHY A 3882 MEADOW LANE SALINE MI 48176-0000

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NATIONAL CAR RENTAL	MONTGOMERY	AL	36108-0000
NELKEN	MIRIAM BOX 2216 NATCHITOCHES	LA	00000-0000
NICHOLS	JUDI 315 SILVERSIDE RD WILMINGTON	DE	19810-0000
NODURFT	DOUGLAS APT 2B METAIRIE	LA	70003-0000
ODA	MARGARET K PO BOX 480 HARRISVILLE	PA	16038-0480
ODA	SUSAN T PO BOX 480 HARRISVILLE	PA	16038-0480
OTIS	VIOLETTA L 17 FORESIDE RD FALMOUTH FORESIDE	ME	04105-0000
OWEN	RICHARD ART SCHOOL RD 2 CHESTER SPRINGS	PA	19425-0000
PACIFIC OLDSGMC INC	98 055 KAMEHAMEHA HWY AIEA	HI	96701-0000
PAGE	M J 50 W MAPLE AVE MERCHANTVILLE	NJ	81090-0000
PAJOVICH	DANICA 2000 N ELIZABETH DEARBORN	MI	48128-0000
PALACEK	JAMES R 1029 E 39TH ST TULSA	OK	74105-0000
PALOMAR INSURANCE CORP	BOX 1128 MONTGOMERY	AL	36111-0000
PARKHURST	CHRISTOPHER R GEN/DEL PSC BOX 5429 BLYTHEVILLE AFB	AR	72315-0000
PEETE	JOYCE J 3519 SILVERSIDE RD WILMINGTON	DE	19810-0000

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PENN BRADFORD	4 STATION SQUARE 3RD FLOOR PITTSBURGH	PA	00000-0000
PEREZ	VINCENTE H 6930 A TAMOGAN LOOP FORT STEWART	GA	31314-0000
PHARR	CLAYTON 702 BOULEVARD SE ATLANTA	GA	30312-0000
PITTS	BERNICE RR 7 BOX 89 FAYETTEVILLE	TN	37334-0000
PITTS	CATHLY RR 7 BOX 89 FAYETTEVILLE	TN	37334-0000
PITTS	CHARLES RR 7 BOX 89 FAYETTEVILLE	TN	37334-0000
POHANKA OLDSGMC INC	4601 ST BARNABAS ROAD TEMPLE HILLS	MD	20748-0000
POLAK	GEORGE PO BOX 230 BATH	PA	18014-0230
POWELL	JACKIE MARTH LAW ESTATES LAKE CITY	SC	29560-0000
POWELL	LEROY F MARTH LAW ESTATES LAKE CITY	SC	29560-0000
PRESLEY	LEONARD W 3558 S HALIFAX WAY AURORA	CO	80013-3932
PRICE AND CO	117 E MOUNTAIN AVE STE 200B FT COLLINS	CO	80524-0000
PRIESTLY	BENJAMIN PO BOX 3976 PORTLAND	OR	97208-0000
PRITCHETT	ANDREA 113 SPRAY BLVD NEPTUNE	NJ	77530-0000
PROGAR	DEBORAH D 3062 NELSON DRIVE LAKEWOOD	CO	80215-0000

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ILLINOIS REGISTER		DEPARTMENT OF FINANCIAL INSTITUTIONS		ILLINOIS REGISTER					
6355		93		6356					
93		93		93					
PURVEAR	EDWARD	L BOX 516 SKELTON	WV	25919-0000	ROBINSON	WILLIE	90 EAST CIRCLE NORTHPORT	AL	35476-5025
PUSTOW	MARIA	PO BOX 1046 EAST LANSING	MI	48823-0000	ROSICH	JERRY	L 7230 NW 36TH STREET BETHANY	OK	73008-0000
QVA BUICK INC		46158 ANTOINE CT EAST MT. CLEMENS	MI	48044-0000	RUEDA	MIGUEL	A 95 LAKE DRIVE STANHOPE	NJ	07874-0000
RATE	TRISHA	146 JIM BRIDGER CASPER CASPER	WY	82601-0000	RUELI	ROBERT	6927 PONTIAC LAKE RD PONTIAC	MI	48054-0000
RAVOTTI	MICHAEL	J PO BOX 2363 YOUNGSTOWN	PA	44509-0000	RUMBLE	D	A 5471 DOOLEY DR LINDEN	MI	48451-9042
RAWLS	ANNE	3 HILLCREST TERRACE EAST ORANGE	NJ	07018-0000	RYNER	DALE	A 7445 APT D KONJU CT FT STEWART	GA	31313-0000
REARICK	ALLEN	D BOX 431 MILLHEIM	PA	16854-0431	SAGER	R	D 1421 NORMANDY PL MANHATTAN	KS	66502-0000
REARICK	SARA	R BOX 431 MILLHEIM	PA	16854-0431	SANTELLI	FRANCOISE	A 1607 LOHBARD PHILADELPHIA	PA	19146-0000
REED	LARRY	3516 BENHARK PL FLINT	MI	48506-0000	SAXON & CO		PO BOX 7780 1888 PHILADELPHIA	PA	19182-0000
REHG	THEOPHIL	46 318 HAIKU RD KANEHI	HI	96744-0000	SCHMOEGER	SUE	30 STONEHEDGE CT SUNTER	SC	29154-0000
REILLY	WILLIAM	J 7321 PERRYSVILLE AVE PITTSBURGH	PA	15202-0000	SCHOW	J	A 1562 WINONA CT DENVER	CO	80204-0000
RHODES	RONALD	A 507 CHETIMATCHES BOX 132 DONALDSONVILLE	LA	70346-0000	SCHULTZ	HELEN	M 8515 LOZIER WARREN	MI	48089-0000
RICHARDS	MARCIA	8201 ROSEWOOD LANE PRAIRIE VILLAGE	KS	66208-0000	SCHULZ	THOMAS	CLINTON	OK	00000-0000
RIPPLE	LUKE	11747 KENNEBER DETROIT	MI	48205-0000	SCHUMEL	DAVID	E RT 1 BOX 118 NORTHPORT	MI	49670-0000
ROBINSON	BARBARA	4415 ARNOLD RD T3 SUITLAND	MD	20746-0000	SCALES CADILLAC CO		2121 METRO CENTER BLVD NASHVILLE	TN	37203-0000

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SCOTT	CAROL PO BOX 475 KITREDGE CO 80457-0000	SMITH	GALE 7171 TUXEDO DETROIT MI 48204-0000
SCOTT	MYRTLE PO BOX 475 KITREDGE CO 80457-0000	SMITH	JAMES C 404 ISELIN JACKSON TN 38031-7251
SEWELL	JULIE 1138 MELROSE CLARKSTON GA 30021-0000	SMITH	RICHARD 90 COLLINGWOOD ST DETROIT MI 48202-1212
SHELDON	LORETTA 1705 NW 8TH OKLAHOMA CITY OK 73106-0000	SMOLIN	LEE VALE STATION NEW HAVEN CT 06511-0000
SHERER	SAMUEL JAMES 5090 PEACHTREE DUNWOODY RD ATLANTA GA 30305-0000	SORENSEN	CINDA J 8515 ALLENTOWN RD OXON HILL MD 20022-0000
SHINE	PETER 110 AMSTERDAM DR MT. HOLLY NJ 80600-0000	SORENSEN	ROGER W 8515 ALLENTOWN RD OXON HILL MD 20022-0000
SIMPSON	GARY RT HCR 63 5B PETTIGREW AR 72752-0000	SOUCLIE	JOSEPH P 306 HUNT AVENUE GILLETTE WY 82716-0000
SITARAM	KAVITHA PO BOX 1134 BEDMINSTER NJ 07921-1134	SQUIRE	ELMER E 28623 WARREN GARDEN CITY MI 48135-0000
SKATELL	LOUIS M 125 DONAHU RD GREENSBURG PA 51641-0000	STAFFORD	J R 828 S ONEIDA DENVER CO 80224-0000
SKELTON	R J POUCH 6293 ANCHORAGE AK 99502-0000	STAR CHEVROLET OLDS INC	4161 OREGON PIKE EPRATA PA 17522-0000
SKINNER	CHARLES 4801 S PRINCETON CHICAGO WL 60609-0000	STAUBER	DAVID 4703 DRUMMOND KENTWOOD MI 49508-0000
SKIRVEN	ELLA R 520 PARK AVE TOWSON MD 00000-0000	STEP	KAREN 105 WASHENAW ANN ARBOR MI 48107-0000
SLATE	ALLEN 3241 HULMEVILLE RD BENSALEM PA 19020-0000	STEVE TATONE BUICK GMC	18202 LINDSAY DETROIT MI 48235-0000
SLICK	RAYMOND DEPT F DETROIT MI 48232-0000	STOICO	MICHAEL A 3519 SILVERSIDE RD WILMINGTON DE 19810-0000
SMITH	ALLEN 17 MAGNOLIA RD MANAHAWKIN NJ 80500-0000	STOVALL	KATHERINE Y PO BOX 4933 HUNTSVILLE AL 35815-0000

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SULLIVAN	KIMBERLY	K 8 GREENBRIAR LANE ANNADALE	NJ 08801-0000	TOLBERT	ABRAHAM	SAME AS ABOVE BATTLE CREEK	MI 47019-0000
SULLIVAN	MARY	8 GREENBRIAR LANE ANNADALE	NJ 08801-0000	TOLBERT	ABRAHAM	98 ROOSENEAT BATTLE CREEK	MI 47019-0000
SULLIVAN	MARY	K 8 GREENBRIAR LANE ANNADALE	NJ 08801-0000	TRADITIONS LTD		ONE GOLD STREET HARTFORD	CT 06103-0000
SULLIVAN	MICHAEL	B 8 GREENBRIAR LANE ANNADALE	NJ 08801-0000	TROWBRIDGE	T	6710 S QUAKER TULSA	OK 74136-0000
SULLWOLD	CARLA	6050 BOULEVARD EAST WEST NEW YORK	NJ 07093-0000	TUCCILLO	DAVID	J 547 A ARENE DRIVE TRENTON	NJ 86100-0000
SULLWOLD	GREGORY	6050 BOULEVARD EAST WEST NEW YORK	NJ 07093-0000	U A LOCAL 407 HEALTH		154 HOLLYWOOD DR JACKSON	TN 38301-0000
SULMAN	SULMAN	203 MONTAUK AVE NEW LONDON	CT 63200-0000	UNISTRUT		35005 MICHIGAN AVE WEST WAYNE	MI 48184-0000
SWANSON	MICHAEL	PO BOX 415 SPRINGDALE	AR 72765-0000	UPP	MELISSA	G 515 MONROE DENVER	CO 80206-0000
SY	SE HIONG	2 MARCOTTE LN TENAFLY	NJ 07670-2425	VANVECKHOVEN	JOHN	E RT 1 BOX 300 MINDEN	LA 71055-0000
TAYLOR	LULA	M 16300 N PARK DR APT 1411 SOUTHFIELD	MI 48075-0000	VARGAS	RAFAEL	1331 KING STREET DENVER	CO 80200-0000
THE INSTITUTE FOR EMPLOYEE BENEFITS TRAIN		1926 ARCH ST PHILADELPHIA	PA 19103-0000	VISCO	JACK	M 115 BROWN ST P O BOX 769 HARTWELL	GA 30643-0000
THOMPSON PHELAN INC		9834 DIXIE HY ANCHORVILLE	MI 48004-0000	W&S MOTORS INC		PO BOX 366 WEST NEW YORK	NJ 70930-0000
TINKER	EILLEN	3443 NE 35TH AVE PORTLAND	OR 97212-0000	WABER	JAMES	T 10 WOODLAND RD HOUGHTON	MI 49931-0000
TIPPLE MARGARET		209 ASHLEY CREEK CT STONE MOUNTAIN	GA 30083-0000	WABER	STANTON	10 WOODLAND RD HOUGHTON	MI 49931-0000
TIPTON	KEITH	L 166 YANTIC ST 507 NORWICH	CT 63600-0000	WAINWRIGHT	LOUISE	130 MIXVILLE ROAD CHESHIRE	CT 06410-0000

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WAINWRIGHT	NANCY	S 130 MIXVILLE ROAD CHESHIRE	CT 06410-0000	WILLIS	BARBARA	10216 CONTINENTAL TAYLOR	MI 48180-0000
WANG	S	C 59 BURNETT TER WEST ORANGE	NJ 07052-0000	WILLOUGHBY	D	M 645 ELINOR PL NW ATLANTA	GA 30318-0000
WANG	S	K 59 BURNETT TER WEST ORANGE	NJ 07052-0000	WILSON	ANITA	T 27 BUCHANAN ROAD ENFIELD	CT 06082-5330
WARD	EDWARD	674 TYSON AVE GLENDSIDE	PA 19038-0000	WILSON	DOUGLAS	904 WELLESLEY ROAD PITTSBURG	PA 15206-1729
WECKLER	FRANK	A 2121 SE POWELL 102 PORTLAND	OR 97202-0000	WILSON	JOHN	A 27 BUCHANAN ROAD ENFIELD	CT 06082-5330
WEIDERHOLD	ROBERT	48 1/2 N MAIN ELKTON	MI 48731-0000	WILSON	MICHAEL	R PSC BOX 825 KI SAWYER AFB	MI 49843-0000
WEST	M	C 701 N FRANKLIN SAND SPRING	OK 74106-0000	WILSON	ROBERT	25 BANK ST BATTLE CREEK	MI 49017-0000
WHITE	DOROTHY	410 E IRON ST BESSEMER	MI 49911-0000	WITTGREN	JACK	A M35 N4404 MENOMIEE	MI 49858-0000
WHITE	SANDRA	L 2324 DODSON DRIVE EAST POINT	GA 30344-0000	WITTGREN	MARY	A M35 N4404 MENOMIEE	MI 49858-0000
WHITE	SARAH	2408 GURNEE AVE ANNISTON	AL 35610-0000	WRIGHT	HAROLD	2316 CAPTAIN COOK ANCHORAGE	AK 00000-0000
WILCOX	SHARON	L 904 WELLESLEY ROAD PITTSBURG	PA 15206-1729	WYNN	OLIVER	B 8558 N 79TH ST LONGMONT	CO 80501-0000
WILKINSON	GORDON	161 GAITHER DR 200 MOUNT LAUREL	NJ 08054-1740	WYNN	RUTH	H 8558 N 79TH ST LONGMONT	CO 80501-0000
WILLIAMS	ADRIENNE	E PO BOX 4491 COLORADO SPRINGS	CO 13440-0000	YOUNG	LERROY	ROUTE 1 BOX 88A DIXIONS MILLS	AL 36736-0000
WILLIAMS	WILLIE	2139 GUANA CIRCLE HUNTSVILLE	AL 35810-0000	YOUNG	MARY	B ROUTE 1 BOX 88A DIXIONS MILLS	AL 36736-0000
WILLIAMSKEPECKY	FLORENCE	A 8555 SOUTH LEWIS 284 TULSA	OK 74137-0000	YOUNG	WAYNE	E 16522 TUCKER RD HOLLY	MI 48442-9743

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ZALUCKI	PAMELA	424 W CAMBOURN FERNDLE	MI	48220-0000
ZIER	BETTY	L RR 2 BOX 441 LEBANON	TN	37087-0000
ZIER	THORTON	J RR 2 BOX 441 LEBANON	TN	37087-0000
ZIVENA BENEFICIAL SOCIETY JUNIOR ORDER		1235 WOODLAND N S PITTSBURGH	PA	00000-0000

POLLUTION CONTROL BOARD

NOTICE OF PUBLIC INFORMATION ON PROPOSED RULES

NOTICE PURSUANT TO 415 ILCS 5/7.2(b)
CONTINGENCY PLAN RULES PURSUANT TO SECTION 22.7

Section 22.7 of the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 111 1/2, par. 1022.7 [415 ILCS 5/22.7]) requires the Board to adopt regulations which are "identical in substance" to the federal regulations or amendments thereto promulgated by the Administrator of the United States Environmental Protection Agency to implement Section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act [42 USC 9601 et seq.] ("CERCLA"). The USEPA rules are at 40 CFR 300; the Board rules are at 35 Ill. Adm. Code 750.

On March 25, 1993, in Docket R92-18, the Pollution Control Board entered the following Order pursuant to Ill. Rev. Stat. 1991, ch. 111 1/2, par. 1007.2(b) [415 ILCS 5/7.2(b)]:

On December 3, 1992, the Board issued an order pursuant to Sections 7.2 and 22.7 of the Environmental Protection Act (Act). (415 ILCS 5/7.2(b) and 5/22.7 (1992)). In that order, the Board found that the time was insufficient in which to comply with the sections' one-year adoption requirement, and anticipated completion of this rulemaking by April 1, 1993. The Board today again finds that it must extend the deadline.

For the reasons stated below, the Board cannot specify an anticipated completion deadline, due to the current pendency of legislation seeking to amend the statutory mandate that will directly affect the scope of this rulemaking.

On October 1, 1992, the Board opened this Docket for the purpose of updating the State contingency plan (Contingency Plan) regulations contained in 35 Ill. Adm. Code 750. The contingency plan regulations are patterned after the United States Environmental Protection Agency (USEPA) regulations found in 40 CFR 300 which implement Section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA" and also commonly referred to as the "Superfund Act"). The Board's contingency plan regulations address spills of hazardous materials, and prioritization of remediation projects to be funded by the State. The regulations were promulgated so as to be utilized by the Illinois Environmental Protection Agency (Agency) in concert with the Agency's administration of the legislatively appropriated "State

POLLUTION CONTROL BOARD

NOTICE OF PUBLIC INFORMATION ON PROPOSED RULES

Superfund" monies.

Sections 7.2 and 22.7 of the Environmental Protection Act (Act) require the Board to adopt the contingency plan regulations on a "fast track" basis pursuant to "identical in substance" rulemaking procedures.

Specifically, Section 22.7 requires the Board to adopt regulations which are identical in substance to the federal regulations or amendments thereto promulgated by the Administrator of the USEPA to implement Section 105 of CERCLA. While the Act requires that the contingency plan regulations be patterned after the USEPA "Superfund" regulations, their adoption is not required by the USEPA. In this respect, the contingency plan regulatory program differs from most other "identical in substance" programs (such as RCRA).

Section 7.2(b) of the Act requires the Board to adopt a rule within one year of adoption of a federal rule, unless the Board extends the time based on a finding that the time is insufficient, and stating the reasons. The Board is to specify a date certain anticipated for completion unless a specified event beyond the Board's control prevents such specificity.

The Board cannot, however, specify an anticipated date certain for completion of this proceeding due to an event beyond the Board's control. This event is pendency in the spring session of the 88th General Assembly of SB534. SB534, among other things, seeks to amend provisions of Section 22.7 of the Act which establish the specifics of the State contingency plan's identical in substance mandate. As a matter of administrative economy for the Board and Agency, and to conserve the resources of the regulated community and other affected members of the public, the Board will not proceed until the legislature and then the Governor take final action to amend or not amend the existing statute. The Board will monitor the progress of SB534 during the course of the legislative session. The Board presently anticipates issuing an order on or about July 22, 1993 (the date of the Board's second scheduled July meeting) which reports the status of the legislation, and which contains the Board's best assessment of when this rulemaking may be completed.

Pursuant to Section 7.2(b) of the Act, the Board will submit this order for publication in the Illinois Register as expeditiously as possible.

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

The following second notices were received by the Joint Committee on Administrative Rules during the period of April 1, 1993 through April 6, 1993, and have been scheduled for review by the Committee at its May 11, 1993 meeting. Other items not contained in this published list may also be considered. Members of the public wishing to express their views with respect to a rule should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 700 Stratton Office Bldg., Springfield, IL 62706.

Second Notice Expires	Agency and Rule	Start of First Notice	JCAR Meeting
5/14/93	State Fire Marshal, Boiler and Pressure Vessel Safety Rules and Regulations (41 Ill Adm Code 120)	12/18/92 16 Ill Reg 19291	5/11/93
5/19/93	Illinois Educational Facilities Authority, Functions and Planning Program (23 Ill Adm Code 2310)	2/16/93 17 Ill Reg 1691	5/11/93
5/20/93	Department of Employment Security, Employment (56 Ill Adm Code 2732)	1/8/93 17 Ill Reg 211	5/11/93
5/20/93	Illinois Racing Board, Violations (11 Ill Adm Code 1303)	2/16/93 17 Ill Reg 1728	5/11/93

PROCLAMATION

93-104

MANNY WEINCORDB DAY

Whereas, Manny Weincord served as assistant coach at Roosevelt High School for five years before becoming the school's basketball and soccer coach, a position he has held for the past 25 years;

Whereas, he also serves as the dean of the Chicago Public League basketball coaches; and

Whereas, although Manny is an admirable coach, his greatest asset is the love and compassion he has for his student athletes and his success in directing them toward a college education; and

Whereas, Manny will be honored at a testimonial dinner Friday, April 2, 1993, at Roosevelt High School;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim April 2, 1993, as MANNY WEINCORDB DAY in Illinois in honor of his 30 years of devotion and service.

Issued by the Governor March 22, 1993.

Filed with the Secretary of State April 2, 1993.

93-105

AMERICAN RED CROSS MONTH

Whereas, led by volunteers, the American Red Cross is a humanitarian organization that provides relief to victims of disasters and helps people prevent, prepare for, and respond to emergencies; and

Whereas, the volunteers and staff of the 93 chapters and 5 blood regions of the American Red Cross serve the people of Illinois twenty-four hours a day, 365 days a year; and

Whereas, these services are consistent with the Congressional Charter of the American Red Cross and the fundamental principles of the International Red Cross movement; and

Whereas, the American Red Cross provides emergency communications between members of the United States Armed Forces, their families, and international tracing services; and

Whereas, the American Red Cross provides a reliable and adequate supply of blood, blood products, tissue services, and related biomedical products and services to meet the needs of the medical community in Illinois; and

Whereas, the American Red Cross is a leading provider of first aid training, cardiopulmonary resuscitation training, swimming and lifeguard training, and HIV/AIDS education in the state;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim March 1993 as AMERICAN RED CROSS MONTH in Illinois and urge all citizens to continue their generous support and ready assistance to the work of the American Red Cross chapters and blood regions throughout the state.

Issued by the Governor March 23, 1993.

Filed with the Secretary of State April 2, 1993.

93-106

ARMY ROTC WEEK

Whereas, the Army Reserve Officer's Training Corps (ROTC) provides exceptional leadership instruction at nine of our state's leading colleges and universities; and

Whereas, ROTC aims to develop selected men and women for positions of responsibility as officers in the active Army, Army National Guard, and Army Reserve; and

Whereas, the efficiency and vitality of our military depends to a great extent upon the high caliber of young officer accessions, more than half of whom are obtained each year through the ROTC program; and

Whereas, many civilian and government leaders in our state and nation have been ROTC members; and

Whereas, the ROTC is one of the most respected organizations in our country;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim April 11-17, 1993, as ARMY ROTC WEEK in Illinois in recognition of the graduates of this outstanding program.

Issued by the Governor March 23, 1993.

Filed with the Secretary of State April 2, 1993.

93-107

BREASTFEEDING PROMOTION MONTH

Whereas, during the month of May, the Illinois Department of Public Health, in coordination with Regional Breastfeeding Task Forces, public and private organizations, physicians, and hospitals throughout Illinois, is promoting the importance of breastfeeding; and

Whereas, this observance reminds Illinoisans that breastfeeding is nutritionally the best choice for infant feeding; and

Whereas, one of the Surgeon General's Health Promotion/Disease Prevention Objectives for the nation for the year 2000 is to increase the percentage of women who breastfeed their babies; and

Whereas, the percentage of women in Illinois choosing to breastfeed their infants is below the national average and the Surgeon General's Breastfeeding Objective for the nation; and

Whereas, increased evidence links education, determination, and support to the success of breastfeeding;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 1993 as BREASTFEEDING PROMOTION MONTH in Illinois and urge our communities to offer breastfeeding education and support to assure parents the opportunity of making informed

decisions about feeding their infants.

Issued by the Governor March 23, 1993.

Filed with the Secretary of State April 2, 1993.

93-108

BUILDING SAFETY WEEK

Whereas, the well-being of every citizen of Illinois depends on the safety of the buildings in which they live, work, and play; and

Whereas, code compliance in these buildings is the joint responsibility of building owners, building operators, architects, engineers, contractors, and building officials; and

Whereas, the general public should recognize the importance of building-safety codes, which protect the public's health and safety by regulating the structural, electrical, plumbing, mechanical, fire-safety, energy efficiency, accessibility, and other aspects of both new and existing buildings; and

Whereas, state and local government units throughout the United States are joining together in expressing appreciation to the conscientious members of the building industry who ensure the safety of our built environment;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim April 11-17, 1993, as BUILDING SAFETY WEEK in Illinois. I urge our citizens to take heed of the theme "Building Safety IS NO Accident" and to recognize the importance of modern building-safety codes.

Issued by the Governor March 23, 1993.

Filed with the Secretary of State April 2, 1993.

93-109

CALL BEFORE YOU DIG MONTH

Whereas, each year in Illinois, many lives are endangered, money and time wasted, and property destroyed because people fail to have underground facilities located prior to digging, blasting, boring, or otherwise disturbing the earth's surface; and

Whereas, Illinois' notification services, Joint Utility Locating Information for Excavators (JULIE), which covers all of Illinois except Chicago, and Digger, which covers the Chicago area, offer a free service to help the general public and professional excavators obtain information on the location of underground cables and mains; and

Whereas, the educational efforts provided by JULIE and Digger agencies help increase worker and public safety, prevent damage to underground facilities, and ensure the continuity of utility and communications services; and

Whereas, JULIE and Digger provide a convenient means for anyone involved in excavation to ensure their personal safety and

comply with Illinois common law regarding excavation;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim April 1993 as CALL BEFORE YOU DIG MONTH in Illinois.

Issued by the Governor March 23, 1993.

Filed with the Secretary of State April 2, 1993.

93-110

CHICAGO REPORTER CONGRATULATED

Whereas, The Chicago Reporter, which is published by the Community Renewal Society, is an investigative monthly magazine that identifies, analyzes, and reports on the social, economic, and political issues of metropolitan Chicago, with a special focus on race and poverty; and

Whereas, The Chicago Reporter was described by the Washington Post as "the home church of investigative reporting in the former Second City." It has also been called "one of the city's premier not-for-profit projects";

Whereas, the Reporter has produced staffers who have gone on to work for many well-known newspapers and television stations, including the Chicago Tribune, Chicago Sun-Times, Washington Post, and WBBM-TV;

Whereas, 1993 marked the Reporter's 20th anniversary, which was celebrated with a fact-packed commemorative issue, a reception attended by 300 civic leaders, and a 30-minute tribute on WTTW-TV; and

Therefore, I, Jim Edgar, Governor of the State of Illinois, congratulate THE CHICAGO REPORTER for its 20 years of journalism excellence.

Issued by the Governor March 23, 1993.

Filed with the Secretary of State April 2, 1993.

93-111

COMMUNITY RENEWAL SOCIETY DAY

Whereas, the Community Renewal Society (CRS) was formed in 1882 as the Chicago City Missionary Society to establish new churches, strengthen current churches, and labor in and for neglected districts in Chicago;

Whereas, the society's mission is bold and direct-- to address issues of race and poverty to achieve just and caring communities; and

Whereas, the society's work in serving the poor, the neglected, and the outsider is done through four program units: Renewal in Community, Churches in Community, Information and Public Policy, and Publications; and

Whereas, CRS faces myriad problems in its fight for racial and economic justice in metropolitan Chicago-- unemployment, poverty, poor schools, homelessness, inadequate health care, and drug-infested neighborhoods; and

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Whereas, CRS will celebrate its 110th anniversary at the annual fund-raising dinner Thursday, April 29, 1993, at the Palmer House Hotel. Keynote speaker will be Carl T. Rowan, author and award-winning journalist;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim April 29, 1993, as COMMUNITY RENEWAL SOCIETY DAY in Illinois in recognition of CRS' rich legacy of service.

Issued by the Governor March 23, 1993.

Filed with the Secretary of State April 2, 1993.

ACTION CODES

A - Adopted Rule
 AR - Adopted Repealer
 C - Notice of Corrections
 CC - Codification Changes
 E - Emergency Rule
 ER - Emergency Repealer
 M - Modification to meet JC&R objections
 O - JC&R Statement of Objections
 RQ - Request for Correction
 EC - Expedited Corrections
 P - Proposed Rule
 PF - Prohibited Filing Order by JC&R*
 PP - Peremptory or Court Ordered Rules
 PR - Proposed Repealer
 R - Refusal to meet JC&R Objection
 RC - Statement of Recommendation
 S - Suspension ordered by JC&R
 W - Withdrawal to meet JC&R Objections
 *Joint Committee on Administrative Rules

ALL RULES ARE LISTED BY PART NUMBER AND HEADING ONLY. (FOR ACTION ON SPECIFIC SECTIONS, PLEASE REFER TO THE SECTIONS AFFECTED INDEX.) IF THERE ARE ANY QUESTIONS, PLEASE CONTACT THE ADMINISTRATIVE CODE DIVISION AT (217) 782-9786.

ABANDONED MINED LANDS RECLAMATION COUNCIL

4 Ill. Adm. Code 1000 Americans With Disabilities Act Grievance Procedure (A-20092/92; CC-1673)

AGING, DEPARTMENT ON

89 Ill. Adm. Code 240 Community Care Program (P-12251/92; A-224) (P-15203/92; A-6090)
 89 Ill. Adm. Code 220 General Programmatic Requirements (P-883) (E-1179)

AGRICULTURE, DEPARTMENT OF

4 Ill. Adm. Code 550 Americans With Disabilities Act Grievance Procedure (A-11744/92; CC-1673)
 8 Ill. Adm. Code 65 Egg & Egg Products Act (P-527)
 8 Ill. Adm. Code 115 Ill. Pseudorabies Control Act (E-5906)
 8 Ill. Adm. Code 256 Lawncare Wash Water & Rinsate Collection (P-14975/92; A-2189)
 8 Ill. Adm. Code 125 Meat & Poultry Inspection Act (PP-2063)
 8 Ill. Adm. Code 750 Sustainable Agriculture (P-1251)
 8 Ill. Adm. Code 105 Swine Disease Control & Eradication Act (E-5910)

ALCOHOLISM AND SUBSTANCE ABUSE, DEPARTMENT OF

4 Ill. Adm. Code 500 Americans With Disabilities Act Grievance Procedure (A-11426/92; CC-1673)

ATTORNEY GENERAL

4 Ill. Adm. Code 125 Americans With Disabilities Act Grievance Procedure (P-2283/92; A-1811)

AUDITOR GENERAL

4 Ill. Adm. Code 1125 Americans With Disabilities Act Grievance Procedure (P-4523)

BANKS AND TRUST COMPANIES, COMMISSIONER OF

4 Ill. Adm. Code 375 Americans With Disabilities Act Grievance Procedure (A-15976/92; CC-1673)

CAPITAL DEVELOPMENT BOARD

4 Ill. Adm. Code 725 Americans With Disabilities Act Grievance Procedure (A-11432/92; CC-1673)
 71 Ill. Adm. Code 500 Asbestos Abatement Authority Act Procedures (P-3917)

CARNIVAL-AMUSEMENT SAFETY BOARD

56 Ill. Adm. Code 6000 Carnival & Amusement Ride Inspection Law (P-3922)

CENTRAL MANAGEMENT SERVICES, DEPARTMENT OF

44 Ill. Adm. Code 5000 Acquisition, Management & Disposal of Real Property (P-11378/92; A-1006) (P-2105) (E-2361)

80 Ill. Adm. Code 303 Conditions of Employment (P-19285/92; A-5587)

80 Ill. Adm. Code 2160 Local Government Health Plan (P-3577)

80 Ill. Adm. Code 302 Merit & Fitness (P-17187/92; A-3169)

80 Ill. Adm. Code 310 Pay Plan (P-191; C-672) (P-13679/92; A-238) (PP-498) (P-13179/92; A-590) (P-14001/92; A-1819)

80 Ill. Adm. Code 2650 Solicitation for Charitable Payroll Deductions (P-2449)

44 Ill. Adm. Code 1 Standard Procurement (P-12808/92; A-600) (P-3926)

CHILDREN AND FAMILY SERVICES, DEPARTMENT OF

89 Ill. Adm. Code 304 Access to & Eligibility for Child Welfare Services (P-7545/92; A-251)

89 Ill. Adm. Code 336 Appeal of Child Abuse & Neglect Investigation Findings (P-7963/92; A-1026)

89 Ill. Adm. Code 330 Child Custody Investigations & Supervision Related to Custodian or Visitation Judgements (P-1259)

89 Ill. Adm. Code 377 Facilities & Programs Exempt from Licensure (P-7553/92; A-259)

89 Ill. Adm. Code 402 Licensing Standards for Foster Family Homes (P-11707/92; A-267)

89 Ill. Adm. Code 378 Multiple Licensure (PR-7561/92; AR-272)

89 Ill. Adm. Code 309 Review & Appeal Process (PR-7982/92; AR-1044)

89 Ill. Adm. Code 337 Service Appeal Process (P-7999/92; A-1046)

89 Ill. Adm. Code 302 Services Delivered by the Department (P-7565/92; A-274) (P-2460) (E-2513)

COMMERCE AND COMMUNITY AFFAIRS, DEPARTMENT OF

4 Ill. Adm. Code 575 Americans With Disabilities Act Grievance Procedure (A-14621/92; CC-1673)

47 Ill. Adm. Code 125 Emergency Community Services Homeless Grant Program (P-18879/92; A-6180)

14 Ill. Adm. Code 520 Enterprise Zone Program (P-13691/92; A-1837)

47 Ill. ADM. CODE 100 Low Income Home Energy Assistance Program (P-16707/92 A-3836)

1 Ill. Adm. Code 300 Small Business Impact Analysis Procedures (P-11391/92; A-1511)

47 Ill. Adm. Code 130 State Administration of the Ill. Neighborhood Corps Program (PR-1)

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4 Ill. Adm. Code 400	Americans With Disabilities Act Grievance Procedure (A-12439/92; CC-1673)	
83 Ill. Adm. Code 305	Construction of Electric Power & Communication Lines (P-2462)	
83 Ill. Adm. Code 756	Dual Party Relay Service (P-14004/92; A-1848)	
92 Ill. Adm. Code 1360	Equipment Leases (P-1685)	
83 Ill. Adm. Code 590	Minimum Safety Standards for Transportation of Gas & For Gas Pipeline Facilities (P-2466)	
83 Ill. Adm. Code 255	Notice Requirements for Change in Rates for Cooling, Electric, Gas, Heating, Telecommunications, Sewer or Water Services (P-13703/92; A-798)	
83 Ill. Adm. Code 315	Pole Attachment Rates, Terms & Conditions Applicable to Cable Television Companies & Electric & Telephone Public Utilities (P-202)	
83 Ill. Adm. Code 280	Procedures for Gas, Electric, Water & Sanitary Sewer Utilities Governing Eligibility for Service, Deposits, Payment Practices & Discontinuance of Service (P-12810/92; A-805)	
83 Ill. Adm. Code 275	Promotional Practices of Electric & Gas Public Utilities (P-8269/92; A-98; RQ-2075; EC-3902)	
83 Ill. Adm. Code 755	Telecommunications Access for the Hearing & Voice Impaired (P-16709/92; A-5594)	
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23 Ill. Adm. Code 1501	Administration of the Ill. Public Community College Act (P-12274/92; A-1853)	
4 Ill. Adm. Code 1050	Americans With Disabilities Act Grievance Procedure (P-17399/92; A-4185)	
COMMUNITY DEVELOPMENT FINANCE CORPORATION, ILLINOIS		
47 Ill. Adm. Code 700	By-Laws (P-4530)	
CONSERVATION, DEPARTMENT OF		
17 Ill. Adm. Code 830	Commercial Fishing & Musseling in Certain Waters of the State (P-17405/92; A-3177)	
17 Ill. Adm. Code 730	Dove Hunting (P-4539)	
17 Ill. Adm. Code 590	Duck, Goose & Coot Hunting (E-1658) (4554)	
17 Ill. Adm. Code 510	General Hunting & Trapping on Department-Owned or -Managed Sites (P-4601)	
17 Ill. Adm. Code 1050	Ill. List of Endangered & Threatened Flora (P-4608)	
17 Ill. Adm. Code 570	Muskrat, Mink, Raccoon, Opossum, Striped Skunk, Weasel, Red Fox, Gray Fox, Coyote, Beaver & Woodchuck (Groundhog) Trapping (P-4611)	
17 Ill. Adm. Code 550	Raccoon, Opossum, Striped Skunk, Red Fox, Gray Fox, Coyote & Woodchuck (Groundhog) Hunting (P-4622)	
17 Ill. Adm. Code 810	Sport Fishing Regulations for the Waters of Ill. (P-17414/92; A-3853; E-5915) (P-4636)	
17 Ill. Adm. Code 690	Squirrel Hunting (P-4672)	
17 Ill. Adm. Code 720	Taking of Wild Turkeys-Fall Archery Season, The (P-15260/92; A-281) (P-4680)	
17 Ill. Adm. Code 715	Taking of Wild Turkeys-Fall Gun Season (P-4689)	
17 Ill. Adm. Code 710	Taking of Wild Turkeys-Spring Season, The (P-18181/92; A-3184)	
17 Ill. Adm. Code 670	White-Tailed Deer Hunting by Use of Bow and Arrow (P-15265/92; A-286) (P-4698)	
17 Ill. Adm. Code 650	White-Tailed Deer Hunting by Use of Firearms (P-4718)	
17 Ill. Adm. Code 660	White-Tailed Deer Hunting Season by Use of Muzzleloading Rifles (P-4742)	
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17 Ill. Adm. Code 740	Woodchuck, Snipe, Rail & Teal Hunting (P-4757)	
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20 Ill. Adm. Code 440	Advocacy Services (PR-16371/92; AR-1519)	
4 Ill. Adm. Code 475	American With Disabilities Act Grievance Procedure (A-10423/92; CC-1673)	
20 Ill. Adm. Code 525	Rights & Privileges (PP-1666)	
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4 Ill. Adm. Code 150	Americans With Disabilities Act Grievance Procedure (P-1263)	
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14 Ill. Adm. Code 1230	Employee Ownership Assistance Program (P-9222/92; A-1859)	
EDUCATIONAL FACILITIES AUTHORITY, ILLINOIS		
23 Ill. Adm. Code 2310	Functions & Planning Program (P-1691)	
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23 Ill. Adm. Code 1	Public Schools Evaluation, Recognition & Supervision (P-8684/92; A-18010/92; EC-3553)	
23 Ill. Adm. Code 228	Transitional Bilingual Education (P-9253/92; A-104)	
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56 Ill. Adm. Code 2840	Claimant's Reason For Separation From Work (P-886)	
56 Ill. Adm. Code 2770	Determination of Unemployment Contributions (P-15625/92; A-295)	
56 Ill. Adm. Code 2732	Employment (P-211) (P-5985)	
56 Ill. Adm. Code 2712	General Application (P-17853/92; A-3194)	
56 Ill. Adm. Code 2765	Payment of Unemployment Contributions, Interest & Penalties (P-12006/92; A-308) (P-15638/92; A-614) (P-2523)	
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35 Ill. Adm. Code 858	Procedures for Operation of the Non-Hazardous Solid Waste Fee System (P-4621/92; A-4190)	
35 Ill. Adm. Code 876	Processing of Claims for Payment from the Underground Storage Tank Fund (E-16191/92; O-18856/92; RC-18857/92; M-2438)	
35 Ill. Adm. Code 320	Permit Fees for Installing or Extending Sewers (P-2469)	
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8 Ill. Adm. Code 1400	Ill. Farm Development Authority (P-8297/92; A-3618) (P-3956)	
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38 Ill. Adm. Code 180	Uniform Disposition of Unclaimed Property Act (P-14006/92; A-123) (P-5990) (E-6321)	
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4 Ill. Adm. Code 200	Americans With Disabilities Act Grievance Procedure (P-1954/92; A-2200)	
41 Ill. Adm. Code 170	Storage, Transportation, Sale & Use of Petroleum & Other Regulated Substances (E-1186)	

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56 Ill. Adm. Code 350	Health & Safety (P-3780/92; O-180; R-1239; A-1074)
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80 Ill. Adm. Code 1200	General Procedures (P-3703)
80 Ill. Adm. Code 1230	Impasse Resolution (P-3718)
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80 Ill. Adm. Code 1210	Representation Proceedings (P-3734)
80 Ill. Adm. Code 1220	Unfair Labor Practice Proceedings (P-3755)
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59 Ill. Adm. Code 122	Certification Under Medicaid Rehabilitation Option for Early Intervention Programs (P-15691/92; RC-3688; A-4236)
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62 Ill. Adm. Code 240	Ill. Oil & Gas Act, The (E-1195) (P-13722/92; A-2217) (P-3771)
44 Ill. Adm. Code 610	Plugging & Restoration Contracts (P-1697)
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32 Ill. Adm. Code 310	General Provisions (P-3787)
32 Ill. Adm. Code 340	Standards for Protection Against Radiation (PR-3997) (P-4070)
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35 Ill. Adm. Code 211	Definitions & General Provisions (P-4782)
35 Ill. Adm. Code 615	Existing Activities In A Setback Zone or Regulated Recharge Area (P-16465/92; A-1871)
35 Ill. Adm. Code 738	Hazardous Waste Injection Restrictions (P-16770/92; A-6190)
35 Ill. Adm. Code 720	Hazardous Waste Management System (P-16776/92; A-5625)
35 Ill. Adm. Code 721	Identification & Listing of Hazardous Waste (P-16801/92; A-5650)
35 Ill. Adm. Code 725	Interim Status Standards for Owners & Operators of Hazardous Waste Treatment, Storage & Disposal Facilities (P-16831/92; A-5681)
35 Ill. Adm. Code 728	Land Disposal Restrictions (P-16878/92; A-5727)
35 Ill. Adm. Code 203	Major Stationary Sources Construction & Modification (P-4898)
35 Ill. Adm. Code 616	New Activities In A Setback Zone or Regulated Recharge Area (P-16473/92; A-1878)
35 Ill. Adm. Code 218	Organic Material Emission Standards & Limitations for the Chicago Area (P-4905)
35 Ill. Adm. Code 219	Organic Material Emission Standards & Limitations for the Metro East Area (P-5169)
35 Ill. Adm. Code 611	Primary Drinking Water Standards (P-2533)
35 Ill. Adm. Code 702	RCRA & UIC Permit Programs (P-16924/92; A-5769)
35 Ill. Adm. Code 703	RCRA Permit Program (P-16930/92; A-5774)
35 Ill. Adm. Code 605	Sampling & Monitoring (P-2682)
35 Ill. Adm. Code 724	Standards for Owners & Operators of Hazardous Waste Treatment, Storage & Disposal Facilities (P-16970/92; A-5806)

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77 Ill. Adm. Code 2510	Data Collection (P-1695) (E-2031)
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77 Ill. Adm. Code 1235	Health Care Worker Self-Referral (E-432; O-3056) (P-683)
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4 Ill. Adm. Code 975	Americans With Disabilities Act Grievance Procedure (A-19806/92; CC-1673)
HISTORIC PRESERVATION AGENCY, ILLINOIS	
17 Ill. Adm. Code 4180	Rules for Review of State Agency Undertakings (P-13718/92; A-1521)
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47 Ill. Adm. Code 370	National Affordable Housing Act (HOME) Program (P-11713/92; A-319)
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56 Ill. Adm. Code 2520	Procedural (P-10)
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4 Ill. Adm. Code 225	Americans With Disabilities Grievance Procedure (P-7749/92; A-2945)
50 Ill. Adm. Code 7020	Pre-Arbitration (P14511/92; A-2206)
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50 Ill. Adm. Code 1408	Actuarial Opinion & Memorandum (P-8735/92; A-4195)
50 Ill. Adm. Code 920	Actuarial Qualification (PR-2530)
50 Ill. Adm. Code 927	Anticipated Salvage & Subrogation Recoverable (P-2106)
50 Ill. Adm. Code 932	Automobile Anti-Theft Mechanisms (P-7279/92; O-1240)
50 Ill. Adm. Code 1250	Corrective Orders (P-3985)
50 Ill. Adm. Code 805	Financial Futures Contracts (P-42) (E-154)
50 Ill. Adm. Code 2013	Group Coverage Discontinuance & Replacement (P-10375/92; A-1525)
50 Ill. Adm. Code 2015	Infertility Coverage (P-696)
50 Ill. Adm. Code 904	Internal Security Standard & Fidelity Bonds (P-3993)
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50 Ill. Adm. Code 802	Purchasing & Selling Call & Put Options Contracts (P-44) (E-163)
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1 Ill. Adm. Code 260	Complaint Review (CC-5960)
1 Ill. Adm. Code 245	Expedited Corrections (CC-5962)
1 Ill. Adm. Code 250	Five-Year Evaluation of all Existing Rules (CC-5964)
1 Ill. Adm. Code 210	General Policies (CC-5965)
1 Ill. Adm. Code 230	Review of Emergency Rulemaking (CC-5967)
1 Ill. Adm. Code 240	Review of Peremptory Rulemaking (CC-5969)
1 Ill. Adm. Code 220	Review of Proposed Rulemaking (CC-5971)

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 35 III. Adm. Code 726 Standards for the Management of Specific Hazardous Waste & Specific Types of Hazardous Waste Management Facilities (P-17028/92; A-5865)

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 4 III. Adm. Code 275 Americans With Disabilities Act Grievance Procedure (A-7003/92; CC-1673)
 68 III. Adm. Code 1210 Collection Agency Act (P-16374/92; A-1535)
 68 III. Adm. Code 1150 III. Architecture Practice Act of 1989 (P-17042/92; A-1554)
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 68 III. Adm. Code 1220 III. Dental Practice Act (P-15762/92; A-1559) (P-1708)
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 68 III. Adm. Code 1465 III. Speech-Language Pathology & Audiology Practice Act, The (P-890)
 68 III. Adm. Code 1240 Private Detective, Private Alarm & Private Security Act of 1983 (P-15775/92; A-1579)
 68 III. Adm. Code 1430 Public Accounting Act (Professional Conduct) (P-4141)
 68 III. Adm. Code 1455 Real Estate Appraiser Certification (P-15785/92; A-1589)
 68 III. Adm. Code 1480 Structural Engineering Licensing Act of 1989, The (P-4149)

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 89 III. Adm. Code 112 Aid to Families With Dependent Children (P-46) (P-3335/92; A-357)
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 89 III. Adm. Code 113 Aid to the Aged, Blind or Disabled (P-702) (P-13383/92; A-827) (P-14999/92; A-2263) (P-14533/92; A-3202) (P-17047/92; A-4322)
 89 III. Adm. Code 110 Application Process (P-13207/92; A-640)
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 89 III. Adm. Code 160 Child Support Enforcement (P-8892/92; A-2272) (P-3820)
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 89 III. Adm. Code 144 Developmental Disabilities Service (P-899) (P-2477)
 89 III. Adm. Code 149 Diagnosis Related Grouping (DRG) Prospective Payment System (PPS) (P-14535/92; A-3217)
 89 III. Adm. Code 121 Food Stamps (P-13385/92; A-644) (P-15813/92; A-4333)
 89 III. Adm. Code 114 General Assistance (P-13395/92; A-1091) (P-15008/92; A-2277)
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 89 III. Adm. Code 148 Hospital Services (P-10868/92; A-131) (P-14540/92; A-3296)
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 89 III. Adm. Code 140 Medical Payment (P-62) (P-13211/92; A-837) (P-7576/92; A-1112) (P-13397/92; O-1241; R-2436; A-2290; F-3058) (P-15296/92; A-2951) (P-15019/92; A-3421) (P-12838/92; A-19146/92; RQ-4517) (P-17049/92; A-6196)
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 89 III. Adm. Code 147 Reimbursement for Nursing Costs for Geriatric Facilities (P-13215/92; A-1128)
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 89 III. Adm. Code 117 Related Program Provisions (P-2126) (E-2368)
 89 III. Adm. Code 103 Support Responsibility of Relatives (P-14178/92; A-655)

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 4 III. Adm. Code 1075 Americans With Disabilities Act Grievance Procedure (P-14182/92; A-142)

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 77 III. Adm. Code 697 AIDS Confidentiality & Testing Code (E-1204) (P-2687)
 77 III. Adm. Code 205 Ambulatory Surgical Treatment Center Licensing Requirements (P-3426/92; A-3507)
 77 III. Adm. Code 665 Child Health Examination Code (P-2697)
 77 III. Adm. Code 694 College Immunization Code (P-13414/92; A-2306)
 77 III. Adm. Code 693 Control of Sexually Transmissible Diseases Code (E-1213) (P-2711)
 77 III. Adm. Code 900 Drinking Water Standards (P-10870/92; A-4388)
 77 III. Adm. Code 750 Food Service Sanitation Code (P-723)
 77 III. Adm. Code 775 Grade A Pasteurized Milk & Milk Products (P-906)
 77 III. Adm. Code 1130 Health Facilities Planning Procedural Rules (P-4755/92; O-1242)
 77 III. Adm. Code 250 Hospital Licensing Requirements (P-2016/92; A-1614)
 77 III. Adm. Code 840 III. Health & Hazardous Substances Registry (P-4329/92; A-2319)
 77 III. Adm. Code 245 III. Home Health Agency Code (P-747)
 77 III. Adm. Code 915 III. Home Well & Pump Installation Contractor's License Code, The (P-10989/92; A-4425)
 77 III. Adm. Code 695 Immunization Code (P-13472/92; A-2975)
 77 III. Adm. Code 350 Intermediate Care for the Developmentally Disabled Facilities Code (P-4791/92; A-2351) (P-1269) (E-2373) (P-6028)
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TYPE OF RULEMAKING

am = amendment to existing Section
cc = codification changes
n = new Section
r = repeal of existing Section
re = recodified
= renumbered

ACTION CODES

A = Adopted rule
C = Correction
P = Proposed Rule
E = Emergency rule
PP = Peremptory rule
M = Modification
W = Withdrawal
RQ = Request for
Correction

PF = Prohibited filing
S = Suspension
O = JCAR Objection
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RC = Recommendation
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CC = Codification Changes

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225.30	n	
225.40	n	
225.50	n	
225.60	n	
225.70	n	
275	n	
300	n	
325	n	
350.110	n	
350.120	n	
350.130	n	
350.140	n	
350.150	n	
350.160	n	
350.170	n	
350.180	n	
375	n	
400	n	
475	n	
500	n	
550	n	
TITLE 8		
65.10	am	
65.100	am	
65.130	am	
65.140	am	
65.150	am	
65.170	am	
65.190	am	
65.200	am	
65.210	am	
65.220	am	
65.230	am	
105.30	am	
115.80	am	
125.270	am	
125.390	am	
256.10	n	
256.20	n	
256.30	n	
256.40	n	
TITLE 11		
205.10	n	
205.20	n	
205.30	n	
205.40	n	
205.50	n	
205.60	n	
205.70	n	
205.80	n	
205.110	n	
205.120	n	
205.130	n	
205.140	n	
205.150	n	
205.160	n	
205.170	n	
205.180	n	
205.190	n	
205.250	n	
205.260	n	
205.270	n	
205.280	n	
205.290	n	
205.300	n	
205.310	n	
205.320	n	
205.330	n	
205.340	n	
205.350	n	
205.360	n	
205.370	n	
205.380	n	
205.420	n	
205.430	n	

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205.460	n	(P-3594)	509.210	am	(P-6955/92; A-3649)
205.470	n	(P-3594)	509.220	am	(P-6955/92; A-3649)
205.480	n	(P-3594)	509.230	am	(P-6955/92; A-3649)
205.490	n	(P-3594)	509.240	r	(P-6955/92; A-3649)
205.500	n	(P-3594)	509.250	r	(P-6955/92; A-3649)
205.510	n	(P-3594)	509.260	r	(P-6955/92; A-3649)
205.520	n	(P-3594)	509.270	am	(P-6955/92; A-3649)
205.530	n	(P-3594)	509.280	r	(P-6955/92; A-3649)
205.540	n	(P-3594)	510.220	am	(P-4155)
205.550	n	(P-3594)	1303.70	am	(P-1728)
205.560	n	(P-3594)	1305.120	r	(P-2439/92; A-3034)
205.570	n	(P-3594)	1305.130	r	(P-2439/92; A-3034)
205.580	n	(P-3594)	1305.140	am	(P-2439/92; A-3034)
205.590	n	(P-3594)	1409.10	am	(P-4158)
205.600	n	(P-3594)	1409.20	am	(P-4158)
205.610	n	(P-3594)	1409.310	am	(P-4158)
205.620	n	(P-3594)	1409.410	am	(P-4158)
205.630	n	(P-3594)	1409.510	am	(P-4158)
205.640	n	(P-3594)	1409.610	am	(P-4158)
205.650	n	(P-3594)	1409.710	am	(P-4158)
205.660	n	(P-3594)	1409.810	am	(P-4158)
205.670	n	(P-3594)	1409.910	am	(P-4158)
205.680	n	(P-3594)	1409.100	am	(P-4158)
205.690	n	(P-3594)	1409.120	am	(P-4158)
205.700	n	(P-3594)	1409.130	am	(P-4158)
205.710	n	(P-3594)	1409.135	am	(P-4158)
205.720	n	(P-3594)	1409.138	am	(P-4158)
205.730	n	(P-3594)	1409.140	am	(P-4158)
205.740	n	(P-3594)	1409.150	am	(P-4158)
205.750	n	(P-3594)	1409.160	am	(P-4158)
205.760	n	(P-3594)	1409.170	am	(P-4158)
205.770	n	(P-3594)	1409.180	am	(P-4158)
205.780	n	(P-3594)	1409.185	am	(P-4158)
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205.850	n	(P-3594)			
205.860	n	(P-3594)			
205.870	n	(P-3594)			
205.880	n	(P-3594)			
205.890	n	(P-3594)			
205.900	n	(P-3594)			
205.910	n	(P-3594)			
205.920	n	(P-3594)			
205.930	n	(P-3594)			
205.940	n	(P-3594)			
205.950	n	(P-3594)			
205.960	n	(P-3594)			
205.970	n	(P-3594)			
205.980	n	(P-3594)			
205.990	n	(P-3594)			
206.000	n	(P-3594)			
206.010	n	(P-3594)			
206.020	n	(P-3594)			
206.030	n	(P-3594)			
206.040	n	(P-3594)			
206.050	n	(P-3594)			
206.060	n	(P-3594)			
206.070	n	(P-3594)			
206.080	n	(P-3594)			
206.090	n	(P-3594)			
206.100	n	(P-3594)			
206.110	n	(P-3594)			
206.120	n	(P-3594)			
206.130	n	(P-3594)			
206.140	n	(P-3594)			
206.150	n	(P-3594)			
206.160	n	(P-3594)			
206.170	n	(P-3594)			
206.180	n	(P-3594)			
206.190	n	(P-3594)			
206.200	n	(P-3594)			
206.210	n	(P-3594)			
206.220	n	(P-3594)			
206.230	n	(P-3594)			
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206.260	n	(P-3594)			
206.270	n	(P-3594)			
206.280	n	(P-3594)			
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206.360	n	(P-3594)			
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206.380	n	(P-3594)			
206.390	n	(P-3594)			
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206.410	n	(P-3594)			
206.420	n	(P-3594)			
206.430	n	(P-3594)			
206.440	n	(P-3594)			
206.450	n	(P-3594)			
206.460	n	(P-3594)			
206.470	n	(P-3594)			
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206.520	n	(P-3594)			
206.530	n	(P-3594)			
206.540	n	(P-3594)			
206.550	n	(P-3594)			
206.560	n	(P-3594)			
206.570	n	(P-3594)			
206.580	n	(P-3594)			
206.590	n	(P-3594)			
206.600	n	(P-3594)			
206.610	n	(P-3594)			
206.620	n	(P-3594)			
206.630	n	(P-3594)			
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206.650	n	(P-3594)			
206.660	n	(P-3594)			
206.670	n	(P-3594)			
206.680	n	(P-3594)			
206.690	n	(P-3594)			
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206.710	n	(P-3594)			
206.720	n	(P-3594)			
206.730	n	(P-3594)			
206.740	n	(P-3594)			
206.750	n	(P-3594)			
206.760	n	(P-3594)			
206.770	n	(P-3594)			
206.780	n	(P-3594)			
206.790	n	(P-3594)			
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206.810	n	(P-3594)			
206.820	n	(P-3594)			
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206.840	n	(P-3594)			
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206.870	n	(P-3594)			
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206.900	n	(P-3594)			
206.910	n	(P-3594)			
206.920	n	(P-3594)			
206.930	n	(P-3594)			
206.940	n	(P-3594)			
206.950	n	(P-3594)			
206.960	n	(P-3594)			
206.970	n	(P-3594)			
206.980	n	(P-3594)			
206.990	n	(P-3594)			
207.000	n	(P-3594)			
207.010	n	(P-3594)			
207.020	n	(P-3594)			
207.030	n	(P-3594)			
207.040	n	(P-3594)			
207.050	n	(P-3594)			
207.060	n	(P-3594)			
207.070	n	(P-3594)			
207.080	n	(P-3594)			
207.090	n	(P-3594)			
207.100	n	(P-3594)			
207.110	n	(P-3594)			
207.120	n	(P-3594)			
207.130	n	(P-3594)			
207.140	n	(P-3594)			
207.150	n	(P-3594)			
207.160	n	(P-3594)			
207.170	n	(P-3594)			
207.180	n	(P-3594)			
207.190	n	(P-3594)			
207.200	n	(P-3594)			
207.210	n	(P-3594)			
207.220	n	(P-3594)			
207.230	n	(P-3594)			
207.240	n	(P-3594)			
207.250	n	(P-3594)			
207.260	n	(P-3594)			
207.270	n	(P-3594)			
207.280	n	(P-3594)			
207.290	n	(P-3594)			
207.300	n	(P-3594)			
207.310	n	(P-3594)			
207.320	n	(P-3594)			
207.330	n	(P-3594)			
207.340	n	(P-3594)			
207.350	n	(P-3594)			
207.360	n	(P-3594)			
207.370	n	(P-3594)			
207.380	n	(P-3594)			
207.390	n	(P-3594)			
207.400	n	(P-3594)			
207.410	n	(P-3594)			
207.420	n	(P-3594)			
207.430	n	(P-3594)			
207.440	n	(P-3594)			
207.450	n	(P-3594)			
207.460	n	(P-3594)			
207.470	n	(P-3594)			
207.480	n	(P-3594)			
207.490	n	(P-3594)			
207.500	n	(P-3594)			
207.510	n	(P-3594)			
207.520	n	(P-3594)			
207.530	n	(P-3594)			
207.540	n	(P-3594)			
207.550	n	(P-3594)			
207.560	n	(P-3594)			
207.570	n	(P-3594)			
207.580	n	(P-3594)			
207.590	n	(P-3594)			
207.600	n	(P-3594)			
207.610	n	(P-3594)			
207.620	n	(P-3594)			
207.630	n	(P-3594)			
207.640	n	(P-3594)			
207.650	n	(P-3594)			
207.660	n	(P-3594)			
207.670	n	(P-3594)			
207.680	n	(P-3594)			
207.690	n	(P-3594)			
207.700	n	(P-3594)			
207.710	n	(P-3594)			
207.720	n	(P-3594)			
207.730	n	(P-3594)			
207.740	n	(P-3594)			
207.750	n	(P-3594)			
207.760	n	(P-3594)			
207.770	n	(P-3594)			
207.780	n	(P-3594)			
207.790	n	(P-3594)			
207.800	n	(P-3594)			
207.810	n	(P-3594)			
207.820	n	(P-3594)			
207.830	n	(P-3594)			
207.840	n	(P-3594)			
207.850	n	(P-3594)			
207.860	n	(P-3594)			
207.870	n	(P-3594)			
207.880	n	(P-3594)			
207.890	n	(P-3594)			
207.900	n	(P-3594)			
207.910	n	(P-3594)			
207.920	n	(P-3594)			
207.930	n	(P-3594)			
207.940	n	(P-3594)			
207.950	n	(P-3594)			
207.960	n	(P-3594)			
207.970	n	(P-3594)			
207.980	n	(P-3594)			
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340.250	n	(P-4070)	340.1170 n (P-4070)
340.260	n	(P-4070)	340.1180 n (P-4070)
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340.320	n	(P-4070)	340.1220 n (P-4070)
340.410	n	(P-4070)	340.1230 n (P-4070)
340.510	n	(P-4070)	340.1240 n (P-4070)
340.520	n	(P-4070)	340.1250 n (P-4070)
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211.1770	n	(P-4782)	211.2810	n	(P-4782)
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211.1850	n	(P-4782)	211.2890	n	(P-4782)
211.1870	n	(P-4782)	211.2910	n	(P-4782)
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211.2330	n	(P-4782)	211.3330	n	(P-4782)
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211.2410	n	(P-4782)	211.3410	n	(P-4782)
211.2430	n	(P-4782)	211.3430	n	(P-4782)
211.2450	n	(P-4782)	211.3450	n	(P-4782)
211.2470	n	(P-4782)	211.3470	n	(P-4782)
211.2490	n	(P-4782)	211.3490	n	(P-4782)
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211.2530	n	(P-4782)	211.3530	n	(P-4782)
211.2550	n	(P-4782)	211.3550	n	(P-4782)
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211.2670	n	(P-4782)	211.3630	n	(P-4782)
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211.3750 n	(P-4782)	211.4750 n	(P-4782)
211.3770 n	(P-4782)	211.4770 n	(P-4782)
211.3790 n	(P-4782)	211.4790 n	(P-4782)
211.3810 n	(P-4782)	211.4810 n	(P-4782)
211.3830 n	(P-4782)	211.4830 n	(P-4782)
211.3850 n	(P-4782)	211.4850 n	(P-4782)
211.3870 n	(P-4782)	211.4910 n	(P-4782)
211.3890 n	(P-4782)	211.4930 n	(P-4782)
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211.3990 n	(P-4782)	211.5050 n	(P-4782)
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211.4310 n	(P-4782)	211.5370 n	(P-4782)
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211.4450 n	(P-4782)	211.5530 n	(P-4782)
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211.5850 n	(P-4782)	211.6950 n	(P-4782)
211.5870 n	(P-4782)	211.6970 n	(P-4782)
211.5890 n	(P-4782)	211.6990 n	(P-4782)
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211.5930 n	(P-4782)	211.7030 n	(P-4782)
211.5950 n	(P-4782)	211.7070 n	(P-4782)
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211.6090 n	(P-4782)	211.7210 n	(P-4782)
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218.445	am	(P-4905)	218.628	am	(P-4905)
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218.991	am	(P-4905)	219.429	am	(P-5169)
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218.991	am	(P-4905)	219.447	am	(P-5169)
218.991	am	(P-4905)	219.449	am	(P-5169)
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219.562 am	(P-5169)	219.963 am	611.358 n	(P-2533)	724.410 am
219.581 am	(P-5169)	219.966 am	611.359 n	(P-2533)	724.673 am
219.582 am	(P-5169)	219.967 am	611.360 n	(P-2533)	725.113 am
219.583 am	(P-5169)	219.968 am	611.361 n	(P-2533)	725.115 am
219.584 am	(P-5169)	219.980 am	611.362 n	(P-2533)	725.119 n
219.585 am	(P-5169)	219.983 am	611.521 am	(P-2533)	725.173 am
219.586 am	(P-5169)	219.986 am	611.560 am	(P-2533)	725.321 am
219.601 am	(P-5169)	219.987 am	611.611 am	(P-2533)	725.322 r
219.602 am	(P-5169)	219.988 am	611.612 am	(P-2533)	725.322 n
219.603 am	(P-5169)	219.990 am	611.630 am	(P-2533)	725.323 r
219.604 r	(P-5169)	219.991 am	611.640 am	(P-2533)	725.323 n
219.605 r	(P-5169)	219.992 am	611.646 am	(P-2533)	725.324 n
219.606 r	(P-5169)	219.993 am	611.647 am	(P-2533)	725.326 am
219.608 am	(P-5169)	219.994 am	611.648 am	(P-2533)	725.328 am
219.609 am	(P-5169)	219.995 am	611.649 am	(P-2533)	725.354 am
219.610 am	(P-5169)	219.996 am	611.650 am	(P-2533)	725.355 n
219.611 am	(P-5169)	219.997 am	611.651 am	(P-2533)	725.359 n
219.612 r	(P-5169)	219.998 am	611.652 am	(P-2533)	725.360 n
219.613 r	(P-5169)	219.999 am	611.653 am	(P-2533)	725.401 am
219.620 am	(P-5169)	219.100 am	611.654 am	(P-2533)	725.402 r
219.621 am	(P-5169)	219.101 am	611.655 am	(P-2533)	725.402 n
219.623 am	(P-5169)	219.102 am	611.656 am	(P-2533)	725.403 n
219.624 am	(P-5169)	219.103 am	611.657 am	(P-2533)	725.404 n
219.628 am	(P-5169)	219.104 am	611.658 am	(P-2533)	725.410 am
219.636 am	(P-5169)	219.105 am	611.659 am	(P-2533)	725.443 am
219.637 am	(P-5169)	219.106 am	611.660 am	(P-2533)	726.200 am
219.640 #	(P-5169)	219.107 am	611.661 am	(P-2533)	728.103 am
219.642 #	(P-5169)	219.108 am	611.662 am	(P-2533)	728.135 am
219.644 #	(P-5169)	219.109 am	611.663 am	(P-2533)	728.141 am
219.644 am	(P-5169)	219.110 am	611.664 am	(P-2533)	728.141 am
219.875 #	(P-5169)	219.111 am	611.665 am	(P-2533)	728.141 am
219.877 #	(P-5169)	219.112 am	611.666 am	(P-2533)	728.141 am
219.879 r	(P-5169)	219.113 am	611.667 am	(P-2533)	728.141 am
219.881 r	(P-5169)	219.114 am	611.668 am	(P-2533)	728.141 am
219.883 r	(P-5169)	219.115 am	611.669 am	(P-2533)	728.141 am
219.886 #	(P-5169)	219.116 am	611.670 am	(P-2533)	728.141 am
219.920 am	(P-5169)	219.117 am	611.671 am	(P-2533)	728.141 am
219.923 am	(P-5169)	219.118 am	611.672 am	(P-2533)	728.141 am
219.926 am	(P-5169)	219.119 am	611.673 am	(P-2533)	728.141 am
219.927 am	(P-5169)	219.120 am	611.674 am	(P-2533)	728.141 am
219.928 am	(P-5169)	219.121 am	611.675 am	(P-2533)	728.141 am

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180.100 am	(P-14006/92; A-123)	400.1070 re	400.1730 re	(A-4464)	400.2400 re
400.110 re	(A-4464)	400.1080 re	400.1740 re	(A-4464)	400.2410 re
400.120 re	(A-4464)	400.1090 re	400.1750 re	(A-4464)	400.2420 re
400.130 re	(A-4464)	400.1110 re	400.1760 re	(A-4464)	400.2500 re
400.140 re	(A-4464)	400.1120 re	400.1770 re	(A-4464)	400.2510 re
400.141 re	(A-4464)	400.1130 re	400.1770 re	(A-4464)	400.2520 re
400.142 re	(A-4464)	400.1140 re	400.1780 re	(A-4464)	400.2530 re
400.143 re	(A-4464)	400.1150 re	400.1790 re	(A-4464)	400.2540 re
400.150 re	(A-4464)	400.1160 re	400.1800 re	(A-4464)	400.2550 re
400.205 re	(A-4464)	400.1170 re	400.1810 re	(A-4464)	400.2700 re
400.220 re	(A-4464)	400.1180 re	400.1905 re	(A-4464)	400.2710 re
400.230 re	(A-4464)	400.1190 re	400.1910 re	(A-4464)	450.110 re
400.240 re	(A-4464)	400.1200 re	400.1915 re	(A-4464)	450.115 re
400.250 re	(A-4464)	400.1210 re	400.1920 re	(A-4464)	450.120 re
400.260 re	(A-4464)	400.1220 re	400.1925 re	(A-4464)	450.125 re
400.270 re	(A-4464)	400.1310 re	400.1930 re	(A-4464)	450.130 re
400.280 re	(A-4464)	400.1320 re	400.1935 re	(A-4464)	450.135 re
400.290 re	(A-4464)	400.1330 re	400.1940 re	(A-4464)	450.140 re
400.310 re	(A-4464)	400.1410 re	400.1945 re	(A-4464)	450.145 re
400.410 re	(A-4464)	400.1420 re	400.1950 re	(A-4464)	450.150 re
400.420 re	(A-4464)	400.1430 re	400.1955 re	(A-4464)	450.160 re
400.430 re	(A-4464)	400.1440 re	400.1970 re	(A-4464)	450.165 re
400.440 re	(A-4464)	400.1450 re	400.1972 re	(A-4464)	450.170 re
400.510 re	(A-4464)	400.1460 re	400.1975 re	(A-4464)	450.175 am
400.610 re	(A-4464)	400.1470 re	400.1980 re	(A-4464)	450.185 re
400.615 re	(A-4464)	400.1480 re	400.1982 re	(A-4464)	450.210 am
400.620 re	(A-4464)	400.1510 re	400.1985 re	(A-4464)	450.220 re
400.630 re	(A-4464)	400.1520 re	400.1990 re	(A-4464)	450.230 re
400.640 re	(A-4464)	400.1530 re	400.1993 re	(A-4464)	450.240 re
400.650 re	(A-4464)	400.1540 re	400.1997 re	(A-4464)	450.250 re
400.660 re	(A-4464)	400.1550 re	400.2005 re	(A-4464)	450.255 re
400.665 re	(A-4464)	400.1560 re	400.2010 re	(A-4464)	450.260 am
400.670 re	(A-4464)	400.1570 re	400.2020 re	(A-4464)	450.270 re
400.675 re	(A-4464)	400.1580 re	400.2030 re	(A-4464)	450.280 re
400.680 re	(A-4464)	400.1590 re	400.2040 re	(A-4464)	450.290 re
400.690 re	(A-4464)	400.1600 re	400.2050 re	(A-4464)	450.310 re
400.690 re	(A-4464)	400.1610 re	400.2055 re	(A-4464)	450.320 re
400.700 re	(A-4464)	400.1620 re	400.2060 re	(A-4464)	450.330 re
400.710 re	(A-4464)	400.1630 re	400.2070 re	(A-4464)	450.340 re
400.720 re	(A-4464)	400.1640 re	400.2105 re	(A-4464)	450.350 re
400.810 re	(A-4464)	400.1650 re	400.2110 re	(A-4464)	450.410 am
400.910 re	(A-4464)	400.1660 re	400.2200 re	(A-4464)	
400.1010 re	(A-4464)	400.1670 re	400.2300 re	(A-4464)	
400.1020 re	(A-4464)	400.1680 re	400.2310 re	(A-4464)	
400.1030 re	(A-4464)	400.1690 re	400.2320 re	(A-4464)	
400.1040 re	(A-4464)	400.1700 re	400.2330 re	(A-4464)	
400.1050 re	(A-4464)	400.1710 re	400.2340 re	(A-4464)	
400.1060 re	(A-4464)	400.1720 re			

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450.420 re	(A-4475)	450.1230 re	(A-4475)	1000.140 re	(A-4464)	1000.1120 re
450.425 n	(P-17570/92; A-3513)	450.1240 re	(A-4475)	1000.141 re	(A-4464)	1000.1130 re
450.425 re	(A-4475)	450.1250 re	(A-4475)	1000.142 re	(A-4464)	1000.1140 re
450.430 re	(A-4475)	450.1305 re	(A-4475)	1000.143 re	(A-4464)	1000.1150 re
450.440 re	(A-4475)	450.1315 re	(A-4475)	1000.150 re	(A-4464)	1000.1160 re
450.450 re	(A-4475)	450.1320 re	(A-4475)	1000.205 re	(A-4464)	1000.1170 re
450.460 re	(A-4475)	450.1325 re	(A-4475)	1000.210 re	(A-4464)	1000.1180 re
450.470 re	(A-4475)	450.1330 re	(A-4475)	1000.220 re	(A-4464)	1000.1190 re
450.475 re	(A-4475)	450.1335 am	(P-17570/92; A-3513)	1000.230 re	(A-4464)	1000.1200 re
450.480 re	(A-4475)	450.1335 re	(A-4475)	1000.240 re	(A-4464)	1000.1210 re
450.490 re	(A-4475)	450.1340 re	(A-4475)	1000.250 re	(A-4464)	1000.1220 re
450.610 re	(A-4475)	450.1345 re	(A-4475)	1000.260 re	(A-4464)	1000.1230 re
450.620 re	(A-4475)	450.1350 re	(A-4475)	1000.270 re	(A-4464)	1000.1330 re
450.630 re	(A-4475)	450.1355 re	(A-4475)	1000.280 re	(A-4464)	1000.1340 re
450.640 re	(A-4475)	450.1360 re	(A-4475)	1000.290 re	(A-4464)	1000.1410 re
450.650 re	(A-4475)	450.1410 re	(A-4475)	1000.310 re	(A-4464)	1000.1420 re
450.660 re	(A-4475)	450.1420 re	(A-4475)	1000.410 re	(A-4464)	1000.1430 re
450.710 re	(A-4475)	450.1510 re	(A-4475)	1000.420 re	(A-4464)	1000.1440 re
450.720 re	(A-4475)	450.1520 re	(A-4475)	1000.430 re	(A-4464)	1000.1450 re
450.730 re	(A-4475)	450.1530 re	(A-4475)	1000.440 re	(A-4464)	1000.1460 re
450.740 re	(A-4475)	450.1540 re	(A-4475)	1000.510 re	(A-4464)	1000.1470 re
450.750 re	(A-4475)	450.1550 re	(A-4475)	1000.610 re	(A-4464)	1000.1480 re
450.810 re	(A-4475)	450.1560 re	(A-4475)	1000.615 re	(A-4464)	1000.1510 re
450.820 re	(A-4475)	450.1570 re	(A-4475)	1000.620 re	(A-4464)	1000.1520 re
450.830 re	(A-4475)	450.1580 re	(A-4475)	1000.630 re	(A-4464)	1000.1530 re
450.840 re	(A-4475)	450.1590 re	(A-4475)	1000.640 re	(A-4464)	1000.1540 re
450.850 re	(A-4475)	450.1595 re	(A-4475)	1000.650 re	(A-4464)	1000.1550 re
450.860 re	(A-4475)	450.1600 re	(A-4475)	1000.660 re	(A-4464)	1000.1560 re
450.910 re	(A-4475)	450.1610 re	(A-4475)	1000.665 re	(A-4464)	1000.1570 re
450.920 re	(A-4475)	450.1620 re	(A-4475)	1000.670 re	(A-4464)	1000.1580 re
450.930 re	(A-4475)	450.1630 re	(A-4475)	1000.675 re	(A-4464)	1000.1590 re
450.940 am	(P-17570/92; A-3513)	450.1640 re	(A-4475)	1000.680 re	(A-4464)	1000.1600 re
450.940 re	(A-4475)	450.1650 re	(A-4475)	1000.690 re	(A-4464)	1000.1610 re
450.950 re	(A-4475)	450.1660 re	(A-4475)	1000.700 re	(A-4464)	1000.1620 re
450.1010 re	(A-4475)	450.1670 re	(A-4475)	1000.710 re	(A-4464)	1000.1630 re
450.1020 am	(P-17570/92; A-3513)	450.1680 re	(A-4475)	1000.720 re	(A-4464)	1000.1640 re
450.1020 re	(A-4475)	450.1690 re	(A-4475)	1000.810 re	(A-4464)	1000.1650 re
450.1030 re	(A-4475)	450.1700 re	(A-4475)	1000.910 re	(A-4464)	1000.1660 re
450.1110 re	(A-4475)	450.1720 re	(A-4475)	1000.1010 re	(A-4464)	1000.1670 re
450.1120 re	(A-4475)	450.1730 re	(A-4475)	1000.1020 re	(A-4464)	1000.1680 re
450.1130 re	(A-4475)	450.1740 re	(A-4475)	1000.1030 re	(A-4464)	1000.1690 re
450.1140 re	(A-4475)	450.1750 re	(A-4475)	1000.1040 re	(A-4464)	1000.1700 re
450.1150 re	(A-4475)	450.1760 re	(A-4475)	1000.1050 re	(A-4464)	1000.1710 re
450.1160 re	(A-4475)	450.1770 re	(A-4475)	1000.1060 re	(A-4464)	1000.1720 re
450.1170 re	(A-4475)	450.1790 re	(A-4475)	1000.1070 re	(A-4464)	1000.1730 re
450.1175 re	(A-4475)	1000.110 re	(A-4464)	1000.1080 re	(A-4464)	1000.1740 re
450.1210 re	(A-4475)	1000.120 re	(A-4464)	1000.1090 re	(A-4464)	1000.1750 re

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1000.1770	re	(A-4464)	1000.2510	re	(A-4464)
1000.1770	re	(A-4464)	1000.2520	re	(A-4464)
1000.1770	re	(A-4464)	1000.2530	re	(A-4464)
1000.1780	re	(A-4464)	1000.2540	re	(A-4464)
1000.1790	re	(A-4464)	1000.2550	re	(A-4464)
1000.1800	re	(A-4464)	1000.2700	re	(A-4464)
1000.1810	re	(A-4464)	1000.2710	re	(A-4464)
1000.1905	re	(A-4464)	1050.110	re	(A-4475)
1000.1910	re	(A-4464)	1050.115	re	(A-4475)
1000.1915	re	(A-4464)	1050.120	re	(A-4475)
1000.1920	re	(A-4464)	1050.125	re	(A-4475)
1000.1925	re	(A-4464)	1050.130	re	(A-4475)
1000.1930	re	(A-4464)	1050.135	re	(A-4475)
1000.1935	re	(A-4464)	1050.140	re	(A-4475)
1000.1940	re	(A-4464)	1050.145	re	(A-4475)
1000.1945	re	(A-4464)	1050.150	re	(A-4475)
1000.1950	re	(A-4464)	1050.160	re	(A-4475)
1000.1955	re	(A-4464)	1050.165	re	(A-4475)
1000.1970	re	(A-4464)	1050.170	re	(A-4475)
1000.1972	re	(A-4464)	1050.175	re	(A-4475)
1000.1975	re	(A-4464)	1050.185	re	(A-4475)
1000.1980	re	(A-4464)	1050.210	re	(A-4475)
1000.1982	re	(A-4464)	1050.220	re	(A-4475)
1000.1985	re	(A-4464)	1050.230	re	(A-4475)
1000.1990	re	(A-4464)	1050.240	re	(A-4475)
1000.1993	re	(A-4464)	1050.250	re	(A-4475)
1000.1997	re	(A-4464)	1050.255	re	(A-4475)
1000.2005	re	(A-4464)	1050.260	re	(A-4475)
1000.2010	re	(A-4464)	1050.270	re	(A-4475)
1000.2020	re	(A-4464)	1050.280	re	(A-4475)
1000.2030	re	(A-4464)	1050.290	re	(A-4475)
1000.2040	re	(A-4464)	1050.310	re	(A-4475)
1000.2050	re	(A-4464)	1050.320	re	(A-4475)
1000.2055	re	(A-4464)	1050.330	re	(A-4475)
1000.2060	re	(A-4464)	1050.340	re	(A-4475)
1000.2070	re	(A-4464)	1050.350	re	(A-4475)
1000.2105	re	(A-4464)	1050.410	re	(A-4475)
1000.2110	re	(A-4464)	1050.420	re	(A-4475)
1000.2120	re	(A-4464)	1050.425	re	(A-4475)
1000.2200	re	(A-4464)	1050.430	re	(A-4475)
1000.2300	re	(A-4464)	1050.440	re	(A-4475)
1000.2310	re	(A-4464)	1050.450	re	(A-4475)
1000.2320	re	(A-4464)	1050.460	re	(A-4475)
1000.2330	re	(A-4464)	1050.470	re	(A-4475)
1000.2340	re	(A-4464)	1050.475	re	(A-4475)
1000.2400	re	(A-4464)	1050.480	re	(A-4475)
1000.2410	re	(A-4464)	1050.490	re	(A-4475)
1000.2420	re	(A-4464)	1050.610	re	(A-4475)

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1050.620	re	(A-4475)	1050.1360	re	(A-4475)
1050.630	re	(A-4475)	1050.1410	re	(A-4475)
1050.640	re	(A-4475)	1050.1420	re	(A-4475)
1050.650	re	(A-4475)	1050.1510	re	(A-4475)
1050.660	re	(A-4475)	1050.1520	re	(A-4475)
1050.710	re	(A-4475)	1050.1530	re	(A-4475)
1050.720	re	(A-4475)	1050.1540	re	(A-4475)
1050.730	re	(A-4475)	1050.1550	re	(A-4475)
1050.740	re	(A-4475)	1050.1560	re	(A-4475)
1050.750	re	(A-4475)	1050.1570	re	(A-4475)
1050.810	re	(A-4475)	1050.1580	re	(A-4475)
1050.820	re	(A-4475)	1050.1590	re	(A-4475)
1050.830	re	(A-4475)	1050.1595	re	(A-4475)
1050.840	re	(A-4475)	1050.1600	re	(A-4475)
1050.850	re	(A-4475)	1050.1610	re	(A-4475)
1050.860	re	(A-4475)	1050.1620	re	(A-4475)
1050.910	re	(A-4475)	1050.1630	re	(A-4475)
1050.920	re	(A-4475)	1050.1640	re	(A-4475)
1050.930	re	(A-4475)	1050.1650	re	(A-4475)
1050.940	re	(A-4475)	1050.1660	re	(A-4475)
1050.950	re	(A-4475)	1050.1670	re	(A-4475)
1050.1010	re	(A-4475)	1050.1680	re	(A-4475)
1050.1020	re	(A-4475)	1050.1690	re	(A-4475)
1050.1030	re	(A-4475)	1050.1700	re	(A-4475)
1050.1110	re	(A-4475)	1050.1720	re	(A-4475)
1050.1120	re	(A-4475)	1050.1730	re	(A-4475)
1050.1130	re	(A-4475)	1050.1740	re	(A-4475)
1050.1140	re	(A-4475)	1050.1750	re	(A-4475)
1050.1150	re	(A-4475)	1050.1760	re	(A-4475)
1050.1160	re	(A-4475)	1050.1770	re	(A-4475)
1050.1170	re	(A-4475)	1050.1790	re	(A-4475)
1050.1175	re	(A-4475)	1075.100	n	(P-2727)
1050.1210	re	(A-4475)	1075.1425	am	(P-2727)
1050.1220	re	(A-4475)	1075.1700	n	(P-2727)
1050.1230	re	(A-4475)	1075.1710	n	(P-2727)
1050.1240	re	(A-4475)	1075.1800	n	(P-2727)
1050.1250	re	(A-4475)	1075.1805	n	(P-2727)
1050.1305	re	(A-4475)	1075.1810	n	(P-2727)
1050.1310	re	(A-4475)	1075.1815	n	(P-2727)
1050.1315	re	(A-4475)	1075.1820	n	(P-2727)
1050.1320	re	(A-4475)	1075.1825	n	(P-2727)
1050.1325	re	(A-4475)	1075.1830	n	(P-2727)
1050.1330	re	(A-4475)	1075.1835	n	(P-2727)
1050.1340	re	(A-4475)	1075.1840	n	(P-2727)
1050.1345	re	(A-4475)	1075.1845	n	(P-2727)
1050.1350	re	(A-4475)	1075.1850	n	(P-2727)
1050.1355	re	(A-4475)	1075.1855	n	(P-2727)
			1075.1860	n	(P-2727)
			1075.1865	n	(P-2727)

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TITLE 38 (CONT'D)		
1075.1870 n	(P-2727)	1075.2110 n
1075.1875 n	(P-2727)	1075.2115 n
1075.1880 n	(P-2727)	1075.2120 n
1075.1885 n	(P-2727)	1075.2125 n
1075.1890 n	(P-2727)	1075.2130 n
1075.1895 n	(P-2727)	1075.2135 n
1075.1900 n	(P-2727)	1075.2140 n
1075.1905 n	(P-2727)	1075.2145 n
1075.1910 n	(P-2727)	1075.2150 n
1075.1915 n	(P-2727)	1075.2155 n
1075.1920 n	(P-2727)	1075.2160 n
1075.1925 n	(P-2727)	1075.2165 n
1075.1930 n	(P-2727)	1075.2170 n
1075.1935 n	(P-2727)	1075.2200 n
1075.1940 n	(P-2727)	1075.2210 n
1075.1945 n	(P-2727)	1075.2220 n
1075.1950 n	(P-2727)	1075.2230 n
1075.1955 n	(P-2727)	1075.2240 n
1075.1960 n	(P-2727)	1075.2300 n
1075.1965 n	(P-2727)	1075.2310 n
1075.1970 n	(P-2727)	1075.2320 n
1075.1975 n	(P-2727)	1075.2330 n
1075.1980 n	(P-2727)	1075.2340 n
1075.1985 n	(P-2727)	1075.2350 n
1075.1990 n	(P-2727)	1075.2360 n
1075.1995 n	(P-2727)	1075.2370 n
1075.2000 n	(P-2727)	1075.2380 n
1075.2005 n	(P-2727)	1075.2390 n
1075.2010 n	(P-2727)	1075.2400 n
1075.2015 n	(P-2727)	1075.2410 n
1075.2020 n	(P-2727)	1075.2420 n
1075.2025 n	(P-2727)	1075.2430 n
1075.2030 n	(P-2727)	1075.2440 n
1075.2035 n	(P-2727)	1075.2450 n
1075.2040 n	(P-2727)	1075.2460 n
1075.2045 n	(P-2727)	1075.2500 n
1075.2050 n	(P-2727)	1075.2510 n
1075.2055 n	(P-2727)	1075.2520 n
1075.2060 n	(P-2727)	1075.2530 n
1075.2065 n	(P-2727)	1075.2540 n
1075.2070 n	(P-2727)	1075.2550 n
1075.2075 n	(P-2727)	1075.2560 n
1075.2080 n	(P-2727)	1075.2570 n
1075.2085 n	(P-2727)	1075.2580 n
1075.2090 n	(P-2727)	
1075.2095 n	(P-2727)	
1075.2100 n	(P-2727)	
1075.2105 n	(P-2727)	
TITLE 41		
170.530 am		(i: 1186)

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TITLE 44				
1.100	am	(P-12808/92; A-600)	125.10	n
1.350	am	(P-12808/92; A-600)	125.20	n
1.515	n	(P-12808/92; A-600)	125.30	n
1.530	am	(P-12808/92; A-600)	125.50	n
1.610	am	(P-12808/92; A-600)	125.60	n
1.620	am	(P-12808/92; A-600)	125.70	n
1.630	am	(P-12808/92; A-600)	125.80	n
1.2215	am	(P-3926)	125.90	n
610.100	n	(P-1697)	125.100	n
610.110	n	(P-1697)	125.110	n
610.120	n	(P-1697)	125.120	n
610.200	n	(P-1697)	125.130	n
610.210	n	(P-1697)	125.140	n
610.220	n	(P-1697)	130.10	r
610.230	n	(P-1697)	130.20	r
610.240	n	(P-1697)	130.30	r
610.250	n	(P-1697)	130.40	r
610.260	n	(P-1697)	130.50	r
610.270	n	(P-1697)	130.60	r
610.280	n	(P-1697)	130.70	r
610.300	n	(P-1697)	130.80	r
610.310	n	(P-1697)	130.90	r
610.320	n	(P-1697)	130.100	r
610.330	n	(P-1697)	130.110	r
610.340	n	(P-1697)	370.101	n
610.350	n	(P-1697)	370.102	n
5000.230	am	(P-2105) (E-2361)	370.103	n
5000.900	n	(P-11378/92; A-1006)	370.104	n
5000.910	n	(P-11378/92; A-1006)	370.105	n
5000.920	n	(P-11378/92; A-1006)	370.106	n
5000.930	n	(P-11378/92; A-1006)	370.107	n
5000.940	n	(P-11378/92; A-1006)	370.108	n
5000.950	n	(P-11378/92; A-1006)	370.109	n
5000.960	n	(P-11378/92; A-1006)	370.110	n
5000.970	n	(P-11378/92; A-1006)	370.111	n
5000.Ap.B	n	(P-11378/92; A-1006)	370.112	n
TITLE 47				
100.30	am	(P-16707/92; A-3836)	370.113	n
100.105	am	(P-16707/92; A-3836)	370.201	n
100.Ap.A			370.202	n
.II.A	am	(P-16707/92; A-3836)	370.203	n
.II.B	am	(P-16707/92; A-3836)	370.204	n
.II.C	am	(P-16707/92; A-3836)	370.205	n
.II.D	am	(P-16707/92; A-3836)	370.206	n
.II.E	am	(P-16707/92; A-3836)	370.207	n
			370.208	n
			370.209	n
.II.F	am	(P-16707/92; A-3836)	370.210	n
			370.211	n

TITLE 47 (CONT'D)			TITLE 50 (CONT'D)		
370.212	n	(P-11713/92; A-319)	700.213	n	(P-4530)
370.301	n	(P-11713/92; A-319)	700.220	n	(P-4530)
370.302	n	(P-11713/92; A-319)	700.221	n	(P-4530)
370.303	n	(P-11713/92; A-319)	700.223	n	(P-4530)
370.304	n	(P-11713/92; A-319)	700.224	n	(P-4530)
370.305	n	(P-11713/92; A-319)	700.225	n	(P-4530)
370.401	n	(P-11713/92; A-319)	700.226	n	(P-4530)
370.402	n	(P-11713/92; A-319)	700.227	n	(P-4530)
370.501	n	(P-11713/92; A-319)	700.228	n	(P-4530)
370.502	n	(P-11713/92; A-319)	700.250	n	(P-4530)
370.503	n	(P-11713/92; A-319)	700.252	n	(P-4530)
370.504	n	(P-11713/92; A-319)	700.260	n	(P-4530)
370.505	n	(P-11713/92; A-319)	700.265	n	(P-4530)
370.506	n	(P-11713/92; A-319)	700.270	n	(P-4530)
370.507	n	(P-11713/92; A-319)	700.275	n	(P-4530)
370.601	n	(P-11713/92; A-319)	700.280	n	(P-4530)
370.602	n	(P-11713/92; A-319)	TITLE 50		
370.603	n	(P-11713/92; A-319)	802.10	am	(P-44) (E-163)
370.604	n	(P-11713/92; A-319)	802.20	am	(P-44) (E-163)
370.605	n	(P-11713/92; A-319)	802.30	am	(P-44) (E-163)
370.701	n	(P-11713/92; A-319)	802.40	am	(P-44) (E-163)
370.702	n	(P-11713/92; A-319)	802.50	am	(P-44) (E-163)
370.703	n	(P-11713/92; A-319)	802.60	am	(P-44) (E-163)
370.704	n	(P-11713/92; A-319)	802.70	am	(P-44) (E-163)
370.705	n	(P-11713/92; A-319)	802.80	am	(P-44) (E-163)
370.706	n	(P-11713/92; A-319)	805.10	am	(P-42) (E-154)
370.707	n	(P-11713/92; A-319)	805.20	am	(P-42) (E-154)
370.801	n	(P-11713/92; A-319)	805.30	am	(P-42) (E-154)
370.802	n	(P-11713/92; A-319)	805.40	am	(P-42) (E-154)
370.901	n	(P-11713/92; A-319)	805.50	am	(P-42) (E-154)
370.902	n	(P-11713/92; A-319)	805.60	am	(P-42) (E-154)
370.903	n	(P-11713/92; A-319)	904.20	am	(P-3993)
370.904	n	(P-11713/92; A-319)	916.10	am	(P-5992)
370.1001	n	(P-11713/92; A-319)	916.20	am	(P-5992)
370.1002	n	(P-11713/92; A-319)	916.30	am	(P-5992)
370.1003	n	(P-11713/92; A-319)	916.40	am	(P-5992)
370.1004	n	(P-11713/92; A-319)	916.50	am	(P-5992)
370.1005	n	(P-11713/92; A-319)	916.Ex.B	am	(P-5992)
370.1006	n	(P-11713/92; A-319)	916.Ex.C	n	(P-5992)
370.1101	n	(P-4530)	916.IL.A	n	(P-5992)
700.100	n	(P-4530)	916.IL.B	n	(P-5992)
700.110	n	(P-4530)	916.IL.C	n	(P-5992)
700.200	n	(P-4530)	920.10	r	(P-2530)
700.205	n	(P-4530)	920.20	r	(P-2530)
700.207	n	(P-4530)	927.10	am	(P-2106)
700.209	n	(P-4530)	927.20	am	(P-2106)
700.211	n	(P-4530)	TITLE 56		
TITLE 59			350.280	am	
TITLE 59			2520.700	#	
TITLE 59			2520.700	am	
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121.35	n	(P-15715/92; RC-3689; A-4261)	122.15	n	(P-15691/92; RC-3688; A-4236)
121.40	n	(P-15715/92; RC-3689; A-4261)	122.20	n	(P-15691/92; RC-3688; A-4236)
121.45	n	(P-15715/92; RC-3689; A-4261)	122.25	n	(P-15691/92; RC-3688; A-4236)
121.50	n	(P-15715/92; RC-3689; A-4261)	122.30	n	(P-15691/92; RC-3688; A-4236)
121.55	n	(P-15715/92; RC-3689; A-4261)	122.31	n	(P-15691/92; RC-3688; A-4236)
121.60	n	(P-15715/92; RC-3689; A-4261)	122.35	n	(P-15691/92; RC-3688; A-4236)
121.65	n	(P-15715/92; RC-3689; A-4261)	122.40	n	(P-15691/92; RC-3688; A-4236)
121.70	n	(P-15715/92; RC-3689; A-4261)	122.45	n	(P-156091/92; RC-3688; A-4236)
121.75	n	(P-15715/92; RC-3689; A-4261)	122.50	n	(P-15691/92; RC-3688; A-4236)
121.80	n	(P-15715/92; RC-3689; A-4261)	122.55	n	(P-15691/92; RC-3688; A-4236)
121.85	n	(P-15715/92; RC-3689; A-4261)	122.60	n	(P-15691/92; RC-3688; A-4236)
121.90	n	(P-15715/92; RC-3689; A-4261)	122.65	n	(P-15691/92; RC-3688; A-4236)
121.95	n	(P-15715/92; RC-3689; A-4261)	122.70	n	(P-15691/92; RC-3688; A-4236)
121.100	n	(P-15715/92; RC-3689; A-4261)	122.75	n	(P-15691/92; RC-3688; A-4236)
121.105	n	(P-15715/92; RC-3689; A-4261)	122.80	n	(P-15691/92; RC-3688; A-4236)
121.110	n	(P-15715/92; RC-3689; A-4261)	122.85	n	(P-15691/92; RC-3688; A-4236)
121.115	n	(P-15715/92; RC-3689; A-4261)	122.Ap.A	n	(P-15691/92; RC-3688; A-4236)
121.120	n	(P-15715/92; RC-3689; A-4261)	TITLE 62		
121.130	n	(P-15715/92; RC-3689; A-4261)	240.131	n	(P-13722/92; A-2217)
121.135	n	(P-15715/92; RC-3689; A-4261)	240.132	n	(P-13722/92; A-2217)
121.140	n	(P-15715/92; RC-3689; A-4261)	240.133	n	(P-13722/92; A-2217)
121.145	n	(P-15715/92; RC-3689; A-4261)	240.160	am	(P-13722/92; A-2217)
121.Ap.A	n	(P-15715/92; RC-3689; A-4261)	240.170	am	(P-13722/92; A-2217)
			240.180	am	(P-13722/92; A-2217)
			240.190	am	(P-13722/92; A-2217)
			240.195	am	(P-13722/92; A-2217)
			240.1200	am	(E-1195)
			240.1205	n	(P-13722/92; A-2217)
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240.1220	n	(P-3771)	1220.360	n
240.1230	n	(P-3771)	1220.435	r
240.1240	n	(P-3771)	1220.440	n
240.1250	n	(P-3771)	1220.525	n
240.1260	n	(P-3771)	1220.Ap.B	am
240.1270	n	(P-3771)	1220.Ap.C	am
240.1280	n	(P-3771)	1240.5	r
			1240.10	am
			1240.15	am
			1240.50	am
			1240.51	am
			1300.48	am
			1430.3010	am
			1430.3020	am
			1430.5030	am
			1430.5050	am
			1455.10	n
			1455.15	n
			1455.20	n
			1455.30	n
			1455.40	n
			1455.60	n
			1455.60	n
			1455.70	n
			1455.200	n
			1455.210	n
			1455.300	n
			1455.310	n
			1465.10	r
			1465.30	am
			1465.35	n
			1465.36	n
			1465.80	n
			1465.90	am
			1480.130	am
			1480.150	am
			1480.190	am
TITLE 71				
			500.10	n
			500.20	n
			500.30	n
			500.40	n
			500.50	n
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			500.70	n
			500.80	n
(P-15762/92; A-1559)				
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730.40	n	(P-3831)	300.180	am	(P-1346)
740.5	n	(P-385)	300.260	am	(E-2420) (P-6074)
740.10	am	(P-385)	300.270	am	(P-1346)
740.20	am	(P-385)	300.271	n	(P-1346)
740.30	n	(P-385)	300.278	am	(E-2420) (P-6074)
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750.20	n	(P-777)	300.630	am	(P-1346)
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750.50	n	(P-777)	300.3330	am	(P-1346)
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395.120	am	(P-8066/92; A-2984)	695.Ap.A	n	(P-13472/92; A-2975)
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395.170	am	(P-8066/92; A-2984)	750.1820	am	(P-723)
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665.240	am	(P-2697)	785.1210	n	(P-920)
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845.40	am	(P-12314/92; A-1884)	1130.410	am	(P-4755/92; A-5882)
845.50	am	(P-12314/92; A-1884)	1130.510	am	(P-4755/92; A-5882)
845.60	r	(P-12314/92; A-1884)	1130.620	am	(P-4755/92; A-5882)
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845.Ex.B	n	(P-12314/92; A-1884)	1130.710	am	(P-4755/92; A-5882)
845.Ex.C	n	(P-12314/92; A-1884)	1130.720	am	(P-4755/92; A-5882)
845.Ap.B	n	(P-12314/92; A-1884)	1130.730	am	(P-4755/92; A-5882)
845.Ap.C	n	(P-12314/92; A-1884)	1130.740	am	(P-4755/92; A-5882)
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900.70	am	(P-10870/92; A-4388)	1230.120	r	(P-5187/92; A-5878)
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900.Th.H	n	(P-10870/92; A-4388)	1230.240	r	(P-5187/92; A-5878)
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2160.120 am	755.Ex.F n	(P-16709/92; A-5594)
2160.130 am	755.Ex.G n	(P-16709/92; A-5594)
2160.210 am	755.Ex.H n	(P-16709/92; A-5594)
2160.220 am	755.Ex.I n	(P-16709/92; A-5594)
2160.250 am	755.Ex.J n	(P-16709/92; A-5594)
2160.310 am	755.Ex.K n	(P-16709/92; A-5594)
2160.320 am	755.Ex.L n	(P-16709/92; A-5594)
2160.325 am	755.Ex.M n	(P-16709/92; A-5594)
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2160.410 am	756.210 am	(P-14004/92; A-1848)
2160.510 am		
2160.610 am		
2160.620 am		
2650.1 am		
2650.10 am		
2650.15 am		
2650.25 am		
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2650.40 n		
2650.50 n		
2650.60 n		
2650.70 n		
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255.20 am		
275.20 am		
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305.20 am		
315.10 am		
315.30 am		
315.40 n		
315.50 n		
315.60 n		
590.10 am		
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755.505 n		
755.510 n		
755.515 n		
755.520 n		
755.525 n		
755.Ex.A n		
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755.Ex.C n		
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150.Tb.A am	113.253 am	(P-665) (P-2718)
210.101 am	113.260 am	(P-2718)
210.105 am	113.330 n	(P-2718)
210.110 am	113.410 am	(P-2718; C-3545)
210.115 am	113.425 am	(P-2718)
210.120 am	113.430 am	(P-2718)
210.125 am	114.9 am	(E-665) (P-2718)
210.126 n	114.120 am	(E-665) (P-2718)
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530.125 am	114.125 r	(P-3104)
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535.105 n	114.127 r	(P-15340/92; A-3042)
535.110 n	114.128 r	(P-15340/92; A-3042)
535.115 n	114.129 r	(P-15340/92; A-3042)
535.120 n	114.130 r	(P-15340/92; A-3042)
535.125 n	114.135 r	(P-15340/92; A-3042)
535.130 n	114.270 r	(P-15340/92; A-3042)
535.135 n	114.420 am	(P-15340/92; A-3042)
535.140 n	114.430 am	(P-15340/92; A-3042)
535.145 n	114.440 n	(P-15340/92; A-3042)
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103.35 n	116.520 r	(P-14178/92; A-655)
104.216 am	117.15 n	(P-540) (E-659)
110.30 am	120.61 am	(P-13207/92; A-640)
111.101 am	120.73 am	(P-16491/92; A-3213)
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112.71 am	121.3 am	(P-3335/92; A-357)
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121.182	n	148.40	am
121.184	n	148.50	am
121.186	n	148.60	am
121.188	n	148.70	am
121.190	n	148.80	am
121.192	n	148.90	am
121.194	n	148.100	am
121.196	n	148.110	am
121.198	n	148.120	am
121.200	n	148.130	am
121.202	n	148.140	am
121.204	n	148.150	am
121.206	n	148.160	am
121.208	n	148.170	am
121.210	n	148.180	am
121.212	n	148.190	am
121.214	n	148.200	am
121.216	n	148.210	am
121.218	n	148.220	am
121.220	n	148.230	am
121.222	n	148.240	am
121.224	n	148.250	am
121.226	n	148.260	am
121.228	n	148.270	am
121.230	n	148.280	am
121.232	n	148.290	am
121.234	n	148.300	am
121.236	n	148.310	am
121.238	n	148.320	am
121.240	n	149.10	n
121.242	n	149.20	am
121.244	n	149.30	am
121.246	n	149.40	am
121.248	n	149.50	am
121.250	n	149.60	am
121.252	n	149.70	am
121.254	n	149.80	am
121.256	n	149.90	am
121.258	n	149.100	am
121.260	n	149.110	am
121.262	n	149.120	am
121.264	n	149.130	am
121.266	n	149.140	n
121.268	n	149.150	am
121.270	n	160.1	am
121.272	n	160.2	am
121.274	n	160.3	am
121.276	n	160.4	am
121.278	n	160.5	am
121.280	n	160.6	am
121.282	n	160.7	am
121.284	n	160.8	am
121.286	n	160.9	am
121.288	n	161.0	am
121.290	n	161.1	am
121.292	n	161.2	am
121.294	n	161.3	am
121.296	n	161.4	am
121.298	n	161.5	am
121.300	n	161.6	am
121.302	n	161.7	am
121.304	n	161.8	am
121.306	n	161.9	am
121.308	n	162.0	am
121.310	n	162.1	am
121.312	n	162.2	am
121.314	n	162.3	am
121.316	n	162.4	am
121.318	n	162.5	am
121.320	n	162.6	am
121.322	n	162.7	am
121.324	n	162.8	am
121.326	n	162.9	am
121.328	n	163.0	am
121.330	n	163.1	am
121.332	n	163.2	am
121.334	n	163.3	am
121.336	n	163.4	am
121.338	n	163.5	am
121.340	n	163.6	am
121.342	n	163.7	am
121.344	n	163.8	am
121.346	n	163.9	am
121.348	n	164.0	am
121.350	n	164.1	am
121.352	n	164.2	am
121.354	n	164.3	am
121.356	n	164.4	am
121.358	n	164.5	am
121.360	n	164.6	am
121.362	n	164.7	am
121.364	n	164.8	am
121.366	n	164.9	am
121.368	n	165.0	am
121.370	n	165.1	am
121.372	n	165.2	am
121.374	n	165.3	am
121.376	n	165.4	am
121.378	n	165.5	am
121.380	n	165.6	am
121.382	n	165.7	am
121.384	n	165.8	am
121.386	n	165.9	am
121.388	n	166.0	am
121.390	n	166.1	am
121.392	n	166.2	am
121.394	n	166.3	am
121.396	n	166.4	am
121.398	n	166.5	am
121.400	n	166.6	am
121.402	n	166.7	am
121.404	n	166.8	am
121.406	n	166.9	am
121.408	n	167.0	am
121.410	n	167.1	am
121.412	n	167.2	am
121.414	n	167.3	am
121.416	n	167.4	am
121.418	n	167.5	am
121.420	n	167.6	am
121.422	n	167.7	am
121.424	n	167.8	am
121.426	n	167.9	am
121.428	n	168.0	am
121.430	n	168.1	am
121.432	n	168.2	am
121.434	n	168.3	am
121.436	n	168.4	am
121.438	n	168.5	am
121.440	n	168.6	am
121.442	n	168.7	am
121.444	n	168.8	am
121.446	n	168.9	am
121.448	n	169.0	am
121.450	n	169.1	am
121.452	n	169.2	am
121.454	n	169.3	am
121.456	n	169.4	am
121.458	n	169.5	am
121.460	n	169.6	am
121.462	n	169.7	am
121.464	n	169.8	am
121.466	n	169.9	am
121.468	n	170.0	am
121.470	n	170.1	am
121.472	n	170.2	am
121.474	n	170.3	am
121.476	n	170.4	am
121.478	n	170.5	am
121.480	n	170.6	am
121.482	n	170.7	am
121.484	n	170.8	am
121.486	n	170.9	am
121.488	n	171.0	am
121.490	n	171.1	am
121.492	n	171.2	am
121.494	n	171.3	am
121.496	n	171.4	am
121.498	n	171.5	am
121.500	n	171.6	am
121.502	n	171.7	am
121.504	n	171.8	am
121.506	n	171.9	am
121.508	n	172.0	am
121.510	n	172.1	am
121.512	n	172.2	am
121.514	n	172.3	am
121.516	n	172.4	am
121.518	n	172.5	am
121.520	n	172.6	am
121.522	n	172.7	am
121.524	n	172.8	am
121.526	n	172.9	am
121.528	n	173.0	am
121.530	n	173.1	am
121.532	n	173.2	am
121.534	n	173.3	am
121.536	n	173.4	am
121.538	n	173.5	am
121.540	n	173.6	am
121.542	n	173.7	am
121.544	n	173.8	am
121.546	n	173.9	am
121.548	n	174.0	am
121.550	n	174.1	am
121.552	n	174.2	am
121.554	n	174.3	am
121.556	n	174.4	am
121.558	n	174.5	am
121.560	n	174.6	am
121.562	n	174.7	am
121.564	n	174.8	am
121.566	n	174.9	am
121.568	n	175.0	am
121.570	n	175.1	am
121.572	n	175.2	am
121.574	n	175.3	am
121.576	n	175.4	am
121.578	n	175.5	am
121.580	n	175.6	am
121.582	n	175.7	am
121.584	n	175.8	am
121.586	n	175.9	am
121.588	n	176.0	am
121.590	n	176.1	am
121.592	n	176.2	am
121.594	n	176.3	am
121.596	n	176.4	am
121.598	n	176.5	am
121.600	n	176.6	am
121.602	n	176.7	am
121.604	n	176.8	am
121.606	n	176.9	am
121.608	n	177.0	am
121.610	n	177.1	am
121.612	n	177.2	am
121.614	n	177.3	am
121.616	n	177.4	am
121.618	n	177.5	am
121.620	n	177.6	am
121.622	n	177.7	am
121.624	n	177.8	am
121.626	n	177.9	am
121.628	n	178.0	am
121.630	n	178.1	am
121.632	n	178.2	am
121.634	n	178.3	am
121.636	n	178.4	am
121.638	n	178.5	am
121.640	n	178.6	am
121.642	n	178.7	am
121.644	n	178.8	am
121.646	n	178.9	am
121.648	n	179.0	am
121.650	n	179.1	am
121.652	n	179.2	am
121.654	n	179.3	am
121.656	n	179.4	am
121.658	n	179.5	am
121.660	n	179.6	am
121.662	n	179.7	am
121.664	n	179.8	am
121.666	n	179.9	am
121.668	n	180.0	am
121.670	n	180.1	am
121.672	n	180.2	am
121.674	n	180.3	am
121.676	n	180.4	am
121.678	n	180.5	am
121.680	n	180.6	am
121.682	n	180.7	am
121.684	n	180.8	am
121.686	n	180.9	am
121.688	n	181.0	am
121.690	n	181.1	am
121.692	n	181.2	am
121.694	n	181.3	am
121.696	n	181.4	am
121.698	n	181.5	am
121.700	n	181.6	am
121.702	n	181.7	am
121.704	n	181.8	am
121.706	n	181.9	am
121.708	n	182.0	am
121.710	n	182.1	am
121.712	n	182.2	am
121.714	n	182.3	am
121.716	n	182.4	am
121.718	n	182.5	am
121.720	n	182.6	am
121.722	n	182.7	am
121.724	n	182.8	am
121.726	n	182.9	am
121.728	n	183.0	am
121.730	n	183.1	am
121.732	n	183.2	am
121.734	n	183.3	am
121.736	n	183.4	am
121.738	n	183.5	am
121.740	n	183.6	am
121.742	n	183.7	am
121.744	n	183.8	am
121.746	n	183.9	am
121.748	n	184.0	am
121.750	n	184.1	am
121.752	n	184.2	am
121.754	n	184.3	am
121.756	n	184.4	am
121.758	n	184.5	am
121.760	n	184.6	am
121.762	n	184.7	am
121.764	n	184.8	am
121.766	n	184.9	am
121.768	n	185.0	am
121.770	n	185.1	am
121.772	n	185.2	am
121.774	n	185.3	am
121.776	n	185.4	am
121.778	n	185.5	am
121.780	n	185.6	am
121.782	n	185.7	am
121.784	n	185.8	am
121.786	n	185.9	am
121.788	n	186.0	am
121.790	n	186.1	am
121.792	n	186.2	am
121.794	n	186.3	am
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505.60	am	(P-1731)	67.120 n	522.130	n	(P-981)	1001.440 am
505.70	am	(P-1731)	67.130 n	522.130	n	(P-981)	1001.450 am
505.80	am	(P-1731)	67.140 n	522.150	am	(P-981)	1001.460 am
505.90	am	(P-1731)	67.Ex.A n	522.200	am	(P-981)	1001.470 am
525.500	n	(P-947)	77.10 n	522.210	am	(P-981)	1001.485 am
540.50	n	(P-20088/92; A-6244)	77.20 n	522.11.J		(P-981)	1001.500 n
562.20	am	(P-14189/92; A-3895)	77.30 n	700.10	n	(P-17235/92; A-4484)	1001.510 n
562.30	am	(P-14189/92; A-3895)	77.40 n	700.20	n	(P-17235/92; A-4484)	1001.520 n
567.20	am	(P-10403/92; A-149)	77.50 n	700.30	n	(P-17235/92; A-4484)	1001.530 n
567.30	am	(P-10403/92; A-149)	77.60 n	700.40	n	(P-17235/92; A-4484)	1001.540 n
567.100	am	(P-10403/92; A-149)	77.70 n	700.50	n	(P-17235/92; A-4484)	1030.16 n
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592.50	am	(P-1375; W-3687)	77.90 n	700.70	n	(P-17235/92; A-4484)	1030.18 n
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680.300	am	(P-943)	77.110 n	700.90	n	(P-17235/92; A-4484)	1040.20 am
685.150	am	(P-18947/92; A-6256)	77.120 n	700.100	n	(P-17235/92; A-4484)	1040.101 am
690.100	am	(P-15065/92; A-3675)	77.130 n	700.110	n	(P-17235/92; A-4484)	1040.102 am
690.200	am	(P-15065/92; A-3675)	77.140 n	704.10	n	(P-17244/92; A-4494)	1070.100 am
690.300	am	(P-15065/92; A-3675)	77.Ex.A n	704.20	n	(P-17244/92; A-4494)	1360.40 am
690.400	am	(P-15065/92; A-3675)	440.520 am	704.30	n	(P-17244/92; A-4494)	2520.26 r
730.700	r	(P-10397/92; A-425)	442.435 am	704.40	n	(P-17244/92; A-4494)	2520.105 n
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830.50	am	(P-18759/92; A-6248)	451.25 am	704.80	n	(P-17244/92; A-4494)	2520.200 n
1200.10	am	(P-15354/92; A-1137)	451.50 #	704.90	n	(P-17244/92; A-4494)	2520.200 r
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1200.50	am	(P-15354/92; A-1137)	451.90 am	704.130	n	(P-17244/92; A-4494)	2520.202 r
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1200.80	am	(P-15354/92; A-1137)	451.120 am	704.Ap.A	n	(P-17244/92; A-4494)	2520.204 n
1200.100	am	(P-15354/92; A-1137)	451.130 am	1001.10	am	(P-19761/92; A-6274)	2520.204 r
1200.110	am	(P-15354/92; A-1137)	451.140 am	1001.20	am	(P-19761/92; A-6274)	2520.205 n
1200.Ap.A	am	(P-15354/92; A-1137)	451.150 am	1001.100	am	(P-19761/92; A-6274)	2520.205 r
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			451.Ap.F	1001.220	am	(P-19761/92; A-6274)	2520.206 r
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			451.11.D	1001.310	am	(P-19761/92; A-6274)	2520.207 r
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67.70	n	(P-1767)	522.30 am	1001.400	am	(P-19761/92; A-6274)	2520.210 r
67.80	n	(P-1767)	522.50 am	1001.410	am	(P-19761/92; A-6274)	2520.211 n
67.90	n	(P-1767)	522.80 am				
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67.20	n	(P-1767)	67.110 n	522.130	r	(P-981)	1001.430 am
67.30	n	(P-1767)	67.120 n	522.130	n	(P-981)	1001.440 am
67.40	n	(P-1767)	67.130 n	522.150	am	(P-981)	1001.450 am
67.50	n	(P-1767)	67.140 n	522.200	am	(P-981)	1001.460 am
67.60	n	(P-1767)	67.150 n	522.210	am	(P-981)	1001.470 am
67.70	n	(P-1767)	67.160 n	522.210	am	(P-981)	1001.485 am
67.80	n	(P-1767)	67.170 n	522.210	am	(P-981)	1001.485 am
67.90	n	(P-1767)	67.180 n	522.210	am	(P-981)	1001.500 n
			67.190 n	522.210	am	(P-981)	1001.510 n
			67.200 n	522.210	am	(P-981)	1001.510 n
			67.210 n	522.210	am	(P-981)	1001.520 n
			67.220 n	522.210	am	(P-981)	1001.530 n
			67.230 n	522.210	am	(P-981)	1001.530 n
			67.240 n	522.210	am	(P-981)	1001.540 n
			67.250 n	522.210	am	(P-981)	1001.540 n
			67.260 n	522.210	am	(P-981)	1001.540 n
			67.270 n	522.210	am	(P-981)	1001.540 n
			67.280 n	522.210	am	(P-981)	1001.540 n
			67.290 n	522.210	am	(P-981)	1001.540 n
			67.300 n	522.210	am	(P-981)	1001.540 n
			67.310 n	522.210	am	(P-981)	1001.540 n
			67.320 n	522.210	am	(P-981)	1001.540 n
			67.330 n	522.210	am	(P-981)	1001.540 n
			67.340 n	522.210	am	(P-981)	1001.540 n
			67.350 n	522.210	am	(P-981)	1001.540 n
			67.360 n	522.210	am	(P-981)	1001.540 n
			67.370 n	522.210	am	(P-981)	1001.540 n
			67.380 n	522.210	am	(P-981)	1001.540 n
			67.390 n	522.210	am	(P-981)	1001.540 n

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